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RECOMMENDATIONS

COMMUNITY PLANNING GROUP/STAFF'S/PLANNING COMMISSION

Project Manager **must** complete the following information for the Council docket:

CASE NO. Grand Avenue Mixed Use, Project No. 59006

STAFF'S

Please indicate recommendation for each action. ie: resolution/ ordinance

1. **Certify** Negative Declaration No. 59006
2. **Approve** Community Plan Amendment and Local Coastal Program Amendment No. 391242.
3. **Approve** Rezone No. 391244.
4. **Approve** Variance No. 348219.
5. **Approve** Coastal Development Permit No. 173574.
6. **Approve** Map Waiver No. 348218.
7. **Approve** waiver of the requirement to underground the existing overhead utilities.

PLANNING COMMISSION (list names of Commissioners voting yea or nay)

YEAS: Kathleen Garcia, Robert Griswold, Gil Ontai, Dennis Otsuji, Eric Naslund

NAYS: None

ABSTAINING: Chairperson Schultz not present and one vacancy

TO: (list recommendation or action)

MOTION BY COMMISSIONER NASLUND TO RECOMMEND APPROVAL OF THE COASTAL DEVELOPMENT PERMIT, VARIANCE, REZONE, COMMUNITY PLAN ADMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT, MAP WAIVER, WAIVER OF UNDERGROUDING AND CERTIFY NEGATIVE DECLARATION NO. 59006 TO THE CITY COUNCIL AS PRESENTED IN REPORT NO. PC-06-279 TO THE PLANNING COMMISSION WITH ADDITIONAL RECOMMENDATIONS. Second by Commissioner Ontai.

COMMUNITY PLANNING GROUP

LIST NAME OF GROUP: Pacific Beach Community Planning Group

X Community Planning Group has recommended denial of this project.

In favor: 15

Opposed: 2

X Community Planning Group has recommended approval of the proposed community plan amendment.

In favor: 17

Opposed: 0

By 
Project Manager

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THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: November 30, 2006 **REPORT NO.** PC-06-290

ATTENTION: Planning Commission, Agenda of December 7, 2006

SUBJECT: GRAND AVENUE MIXED USE - PROJECT NO. 59006
PROCESS FIVE

REFERENCE: Report to the Planning Commission, Report No. PC-05-219, Agenda of August 4, 2005 (PC Report No. PC-05-219)

**OWNER/
APPLICANT:** Stanley R. Simpson (Attachment 18)

SUMMARY

Issue(s): Should the Planning Commission recommend City Council approval to demolish an existing one-story, 787 square-foot single family residence and 200 square-foot detached garage, and to construct a three-story, mixed use building on a 4,688 square foot property within the Pacific Beach Community Plan Area?

Staff Recommendations:

1. Recommend Certification of Negative Declaration No. 59006;
2. Recommend Approval of Coastal Development Permit No. 173574, Variance No. 348219, Rezone No. 391244, Community Plan Amendment and Local Coastal Program Amendment No. 391242, Map Waiver and Waiver of Undergrounding No. 348218.

Community Planning Group Recommendation: On May 24, 2006, the Pacific Beach Community Planning Committee voted 15-2-0 to recommend denial of the project based on parking concerns. The Pacific Beach Community Planning Committee made an additional motion to approve the proposed community plan amendment associated with the project. The group voted 17-0 to approve the community plan amendment (Attachment 17).

Environmental Review: A Negative Declaration No. 59006 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action

Housing Impact Statement: The proposed development would be a mixed-use building containing three residential units and 863 square feet of ground floor commercial retail. The Pacific Beach Community Plan (PBCP) designates the proposed 0.11-acre project site for Medium-Density Residential at 14- 29 dwelling units (DU) per acre. Based on the existing land use designation, one to three dwelling units could potentially be allowed on the project site. The proposed development would result in the removal of one existing single-family dwelling unit and the construction of three new multi-family dwelling units. The proposed development would also propose a land use amendment that would include a 0.11-acre site located at 1036 Grand Avenue and a 0.14-acre site located at 1033 Grand Avenue. The land use amendment would redesignate these sites from Medium Density Residential to Community Commercial within the PBCP. No development is proposed on the additional areas included in the proposed land use amendment. The number of dwelling units allowed on the project site, as well as on the additional sites, would remain the same under the proposed land use amendment.

BACKGROUND

The proposed project is located at 1042 Grand Avenue in the RM-2-5 and CC-4-2, Coastal Overlay (non-appealable), Parking Impact Overlay and Coastal Height Limit Overlay Zones, within the Pacific Beach Community Plan and Local Coastal Program. The project is designated Medium-Density Residential (14-29 DU/acre) within the Pacific Beach Community Plan (PBCP). The site is currently developed with a one-story, 787 square-foot single family residence and a 200 square-foot detached garage (Attachment 1). The lot is 4,688 square-feet and bound by residential properties to the northeast, commercial buildings to the southwest (Attachments 1 and 2). The site is relatively flat with an average mean sea level (MSL) of approximately 27 feet.

On August 4, 2005, the Community Plan Initiation was presented to the Planning Commission and was approved by a vote of 7-0. The Planning Commission directed staff to consider the following eight issues when reviewing the proposed development:

1. Analysis of expanding the boundaries of the plan amendment to include two residentially designated parcels in the commercial zone.
2. Compatibility of the proposed mixed-use development with adjacent residential development.

3. Measures to ensure the provision of mixed-use development.
4. Implementation of the Pacific Beach Community Plan Transit-Oriented Development Standards.
5. The impact additional commercial and potential residential development would have on public services and facilities.
6. Evaluation of any traffic impacts associated with the addition of a commercial component on the site.
7. Rezone of the residentially zoned portion of the site to commercial for consistency with the proposed commercial land use.
8. Inclusion of any additional properties within the area which have residential land use and commercial zoning.

Staff has reviewed the eight issue areas (see analysis within Attachment 13) related to the proposed development and determined that two additional properties will be included within the proposed community plan amendment. The two properties are located at 1033 Grand Avenue and 1036 Grand Avenue (Attachments 3 and 5). Both of these properties have the same situation as the project site. Both properties are within the CC-4-2 Zone and have a Medium-Density Residential (14-29 DU/acre) land use designation within the PBCP; therefore, they have been included within the proposed community plan amendment to resolve the inconsistency between the base zone within the San Diego Municipal Code (SDMC) and the adopted land use plan.

DISCUSSION

Project Description:

The development proposes to process a Community Plan Amendment, Local Coastal Program Amendment, Rezone, Coastal Development Permit, Variance and Map Waiver to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing 4,688 square foot lot. Also, rezone the project site from RM-2-5/CC-4-2 to CC-4-2 and amend the PBCP to change the land use designation on three properties located at 1033, 1036 and 1042 Grand Avenue.

The site is currently split-zoned RM-2-5 (Multi-Family Residential Zone) and CC-4-2 (Commercial-Community) (Attachment 5). The Rezone would change the underlying zone to CC-4-2, which would allow for the proposed mixed-use development (Attachment 15). The three properties located at 1033, 1036 and 1042 Grand Avenue are currently designated Medium-Density Residential (14-29 DU/acre) in the PBCP. The proposed plan amendment would change the land use designation for all three properties to Community Commercial (Attachments 12 and 13). This plan amendment would resolve conflicts between the underlying zone within the

SDMC and the adopted land use plan.

The proposed development consists of 863 square-feet of commercial space on the ground-level, fronting Grand Avenue, and three residential condominium units (Units 1-3) on the second and third floors. The residential units would range in size from 1,520 square-feet to 1,961 square-feet. Unit 1 contains a living room, dining area, kitchen, one bathroom and a balcony on the first level and two bedrooms, two bathrooms, a laundry/storage room and a balcony on the second level. Units 2 and 3 contain a living room, dining area, kitchen and one bathroom on the first level and two bedrooms, two bathrooms, laundry area in the hallway, and a computer room on the second level.

The proposed development is located within the Coastal Overlay Zone and would be in compliance with the 30-foot Coastal Height Limitation. The exterior of the proposed development would consist of stucco, brick, vinyl windows, guardrails along the balconies, wood doors and a flat roof. The commercial space would consist of a glass door and larger store front windows on the ground floor fronting Grand Avenue.

The proposed development would provide eight off street parking spaces within covered surface parking and surface parking on site. Seven of the off-street parking spaces are provided on site within covered parking spaces. This covered parking area is approximately 1,915 square-feet and is counted towards the Gross Floor Area (GFA) for the building. The proposed parking spaces within the front half of the lot are within covered parking and do not have a visual impact on the surrounding properties. Vehicular access for the project will be from the adjacent alley. The project site is not located within the Tandem Parking Overlay Zone; however, a variance is being processed to allow tandem parking to be counted as two parking spaces, when normally counted as one space outside the Tandem Parking Overlay Zone; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

The PBCP designates the site as Medium-Density Residential (14-29 DU/acre). The proposed plan amendment would change the land use designation for the project site and two additional properties located at 1033 and 1036 Grand Avenue to Community Commercial (Attachment 14). This plan amendment would provide for no further conflicts between the underlying zone within the SDMC and the adopted land use plan. The proposed project retains the mix of uses the community plan envisioned for the site and the surrounding area.

Community Plan Analysis:

The Commercial Land Use Element of the Pacific Beach Community Plan (PBCP) recommends that new projects along transit corridors incorporate transit-oriented development (TOD) standards into their design. These standards include minimizing building setbacks, locating parking to the rear of the lot, articulating building façade, orienting the commercial entrance to the street, providing bus shelters and bike racks, and providing public plazas as space permits. Additionally, the community plan recommends the utilization of alleys for vehicular access where it is safe and efficient.

The proposed development would meet the TOD standard in the community plan for minimizing

building setbacks and locating the parking to the rear of the building by bringing the building close to the sidewalk with direct access to the building from the street and locating parking to the rear of the building adjacent and off the existing alley. In order to meet the standard of providing building articulation, the proposed development would utilize an upper story setback with balconies and varying window sizes to further articulate the southern elevation. A large portion of the eastern elevation would be further set back from the property line by approximately 18 feet. The three residential units above the ground floor retail and parking would appear to be virtually separated from each other by 6 feet except for balconies that connect the three buildings along the third story. The western elevation would incorporate windows, balconies, varying colors, and building materials in order to lend further articulation to the proposed modern architectural design of the proposed development.

As a way of meeting the TOD standard of creating interest and activity in the proposed development, the project would include balconies along the upper stories of the project. The proposed development would also meet the standard of orienting commercial buildings to the street by locating the commercial entrance and storefronts to Grand Avenue. Although the TOD standard of providing bus shelters at established bus stops would not apply since there are no bus stops immediately adjacent to the project site, the proposed development would be serviced by an offsite transit stop for bus route 30 located west of the project on the northwest corner of the Cass Street and Grand Avenue.

In order to meet TOD standards for providing bicycle facilities, public plaza and courtyard areas, the proposed development would provide bicycle racks within internal entry of the proposed office-commercial use. Currently, there is no existing bikeway along Grand Avenue; however the community plan does designate Grand Avenue as a future Class II Bikeway. Given the size of the project site, incorporating a public plaza or courtyard areas would be infeasible. Instead, the proposed development would utilize turf block for its driveway in order to minimize the hardscape area. This component of the proposed development would serve to soften the hardscape driveway, as well as help filter surface runoff.

The proposed development would meet design standards of the Commercial Land Use Element of the PBCP by minimizing curb-cuts along pedestrian oriented streets and provide access to on-site parking from the alley. The proposed development has no curb cuts along Grand Avenue and would provide parking access from an adjacent alley. Additionally, the proposed development would provide entryways and windows at the street level in order to enhance pedestrian activity. In order to meet the commercial design standard of limiting the development impacts of new commercial projects on adjacent residential development, the proposed development would provide a 6-foot high wall instead of a fence between the proposed development and the existing residences to the east. This feature of the project would serve to mitigate vehicular noise from the proposed project, reduce glare from vehicular headlights, as well as provide screening of lower story elements of the proposed development.

The proposed development would meet the goal in the Residential Land Use Element of the PBCP for enhancing the residential neighborhood by establishing and maintaining street tree patterns. Two 40-foot high palms exist along the frontage of the project site along Grand Avenue, which will be maintained in place by the applicant. The proposed development provides a planter in front of the commercial building façade to add more landscaping to the

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project to frontage and enhance the project's street façade. The PBCP also recommends maintaining the residential scale of Pacific Beach and encouraging development of residential units within transit corridors. The proposed mixed-use development would develop three residential units along Grand Avenue which is a designated transit corridor in the community served by public transit route 30 and would result in a development that does not exceed the 30-foot height limit within the Coastal Zone.

The proposed development includes a general and community plan amendment to redesignate the project site from Medium-Density Residential 14-29 DU/ acre to Community Commercial. The proposed development includes a rezone for a portion of the lot from RM-2-5 to CC-4-2. Currently, the lot is "split zoned" for both commercial (CC-4-2) and multiple-family residential (RM-2-5). The proposed land use amendment and accompanying rezone would make the land use and underlying zone consistent with one another. The proposed CC-4-2 zone would implement the Community Commercial land use designation by allowing multi-family residential and a variety of retail sales, commercial services, and office-related uses. This meets the intent of the Community Commercial land use designation within the PBCP, which allows community-serving retail, service and office uses in a pedestrian-oriented development pattern in addition to promoting mixed-use along its commercial/transit corridors. Given the proposed development's close proximity to the existing commercial areas along Grand Avenue, the proposed land use designation would create a logical and contiguous extension of the commercial areas to the west as well as create a transitional development, in the form of a mixed-use development with the existing residential development to the east.

The proposed development's land use amendment would incorporate two additional properties located at 1036 Grand Avenue, which is immediately west of the proposed development and 1033 Grand Avenue which is located south of the proposed development, across Grand Avenue. Both of the additional properties are currently designated as Medium Density Residential in the PBCP. Currently, the 1036 Grand Avenue site is owned by a religious organization and developed with a residential use with an existing temple immediately to the west of it. The proposed land use amendment would allow the potential for an expansion of the existing temple use or for accessory uses allowed under the existing commercial zone that would otherwise conflict with the site's residential land use designation. The 1033 Grand Avenue site is currently occupied by a pet hospital business. The proposed land use amendment would make the existing use and the land use designation at this site consistent with each other. No rezones are required or proposed for these additional sites, nor are any development projects proposed on these sites at this time.

Environmental Analysis:

The City of San Diego conducted an Initial Study and determined that the proposed development would not have a significant environmental effect; therefore, Negative Declaration No. 59006 was prepared in accordance with State of California Environmental Quality Act (CEQA) Guidelines, Section 15070.

The following environmental issues were considered in depth during the environmental review of the project and determined not to be potentially significant: Land Use, Geology, Air Quality, Noise, and Water Quality. The proposed development was analyzed for the amount of noise the

site would generate and for the amount of noise affecting the site. The intended use of the proposed development would not result in the generation of noise, except during temporary construction which is regulated by SDMC Section 59.5.0404.

With regards to noise affecting the site, the main sources of noise would be from the traffic on Grand Avenue. In order to assess noise impacts, the applicant provided a noise analysis, "External Noise Environment study for the three story mixed-use commercial/residential building located at 1042 Grand Avenue in Pacific Beach, San Diego CA", dated April 24, 2006, prepared by Dr. Penzes & Associates. The report analyzed the potential noise impacts to the proposed development and determined that project implementation would not result in potential significant noise impacts; therefore, no mitigation is required for noise.

The environmental analysis of the proposed development determined that project implementation would not result in potential significant impacts related to Land Use, Geology, Air Quality and Water Quality; therefore, no mitigation is required and Negative Declaration No. 59006 was prepared in accordance with State of California Environmental Quality Act (CEQA) Guidelines, Section 15070.

Project-Related Issues:

The Pacific Beach Community Planning Committee (PBCPC) voted 15-2-0 to recommend denial of the proposed project due to parking concerns at their meeting on May 25, 2006, as identified within Attachment 17. At the same meeting, the PBCPC voted 17-0 to recommend approval of the proposed community plan amendment.

The proposed development would provide eight off street parking spaces within covered surface parking and surface parking on site. Seven of the off-street parking spaces are provided on site within covered parking spaces. This covered parking area is approximately 1,915 square-feet and is counted towards the Gross Floor Area (GFA) for the building. The proposed parking spaces within the front half of the lot are within covered parking and do not have a visual impact on the surrounding properties. Vehicular access for the project will be from the adjacent alley. The project site is not located within the Tandem Parking Overlay Zone; however, a variance is being processed to allow tandem parking to be counted as two parking spaces, when normally counted as one space outside the Tandem Parking Overlay Zone, and to allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone. Staff has determined that the proposed development is designed in a sensitive manner to the surrounding properties and the proposed variances related to the parking on site can be supported.

The site is currently split-zoned RM-2-5 (Multi-Family Residential Zone) and CC-4-2 (Commercial-Community). The Rezone would change the underlying zone to CC-4-2, which would allow for the proposed mixed-use development (Attachments 15 and 16). The three properties located at 1033, 1036 and 1042 Grand Avenue are currently designated Medium-Density Residential (14-29 DU/acre) in the PBCP. The proposed plan amendment would change the land use designation for all three properties to Community Commercial (Attachments 13 and 14). This plan amendment would resolve conflicts between the underlying zone within the SDMC and the adopted land use plan.

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Conclusion:

The proposed development is requesting to demolish the existing one-story, 787 square-foot single family residence and a 200 square-foot detached garage and construct a three-story, 7,744 square-foot mixed use building on an existing 4,688 square foot lot. The proposed rezone would allow for this proposed development on this project site. The proposed community plan amendment would designate the property site, 1033 and 1036 Grand Avenue as Community Commercial. This plan amendment would provide for no further conflicts between the underlying zone within the SDMC and the adopted land use plan. Overall, the project is increasing residential condominium units and adding 863 square-foot of commercial use to the surrounding area.

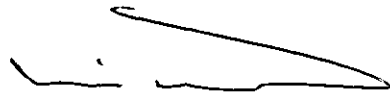
Staff recommends approval of the proposal as requested. The project is consistent with the PBCP as well as the underlying zones. The Pacific Beach Community Planning Committee voted 15-2-0 to deny the project and 17-0 to approve the proposed community plan amendment.

ALTERNATIVES

1. **Approve Coastal Development Permit No. 173574, Variance No. 348219, Rezone No. 391244, Community Plan Amendment and Local Coastal Program Amendment No. 391242, Map Waiver and Waiver of Undergrounding No. 348218 with modifications.**
2. **Deny Coastal Development Permit No. 173574, Variance No. 348219, Rezone No. 391244, Community Plan Amendment and Local Coastal Program Amendment No. 391242, Map Waiver and Waiver of Undergrounding No. 348218 if the findings required to approve the project cannot be affirmed.**

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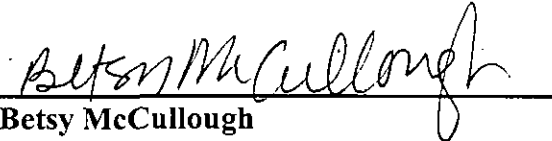
Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Laura C. Black
Development Project Manager
Development Services Department



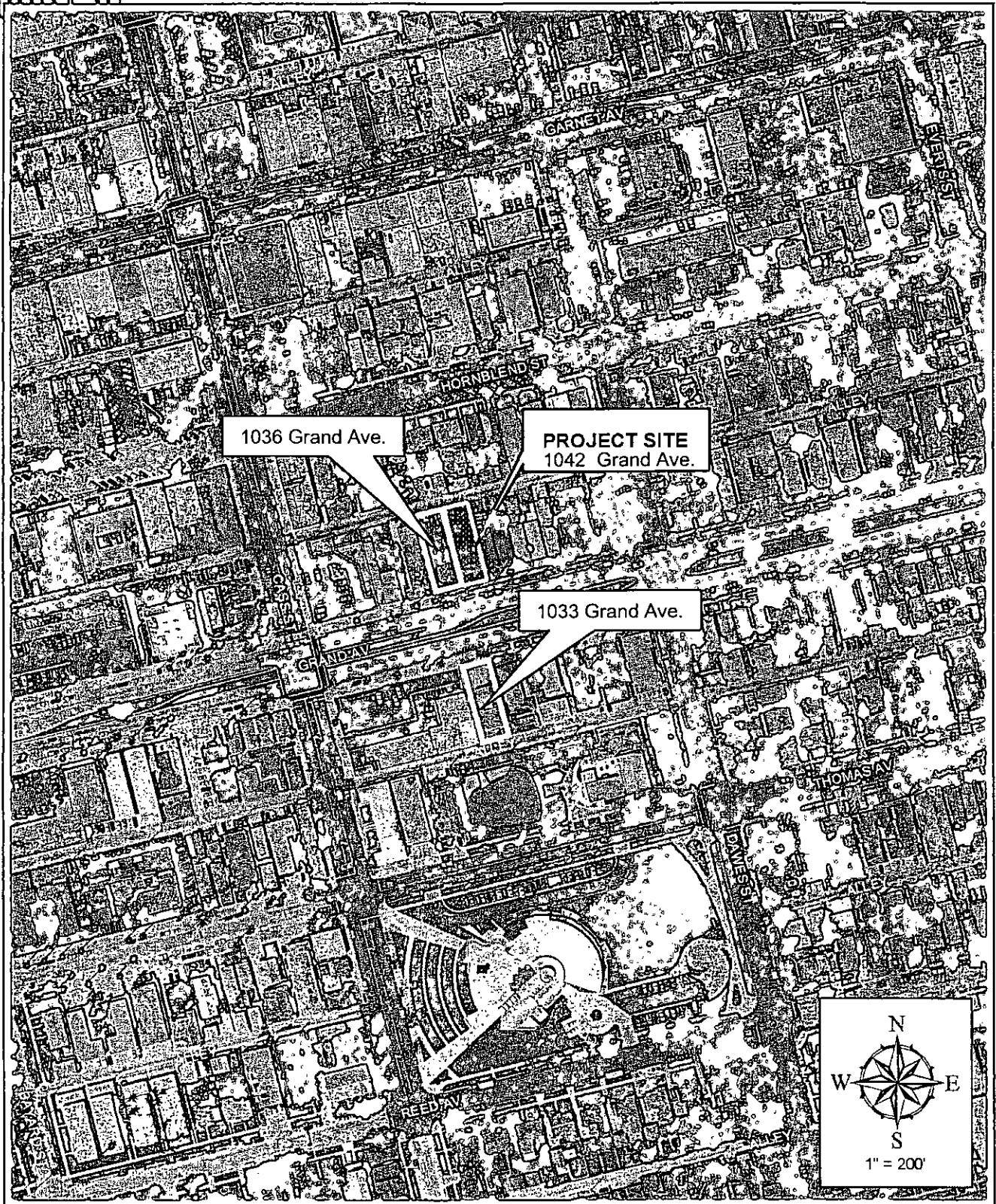
Betsy McCullough
Deputy Director
Planning Department

MW/LCB

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Community Plan Land Use Map – closer view
4. Project Location Map
5. Pacific Beach Community Plan Land Use and Zoning Boundaries
6. Project Data Sheet
7. Project Site Plans
8. Map Waiver Exhibit
9. Draft Map Conditions and Subdivision Resolution
10. Draft Permit with Conditions
11. Draft Resolution with Findings
12. Community Plan Amendment Initiation Resolution, August 4, 2005
13. Community Plan Amendment Issues Analysis
14. Draft Community Plan Amendment Documents
15. Rezone Exhibit
16. Rezone Ordinance
17. Community Planning Group Recommendation
18. Ownership Disclosure Statement
19. Project Chronology
20. Land Owners for 1033 and 1036 Grand Ave. approval of Community Plan Amendment
21. Draft Planning Commission Resolution
22. Draft Community Plan and Local Coastal Program Amendment Resolution

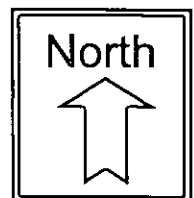
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Aerial Photograph

GRAND AVENUE MIXED USE – PROJECT NUMBER 59006

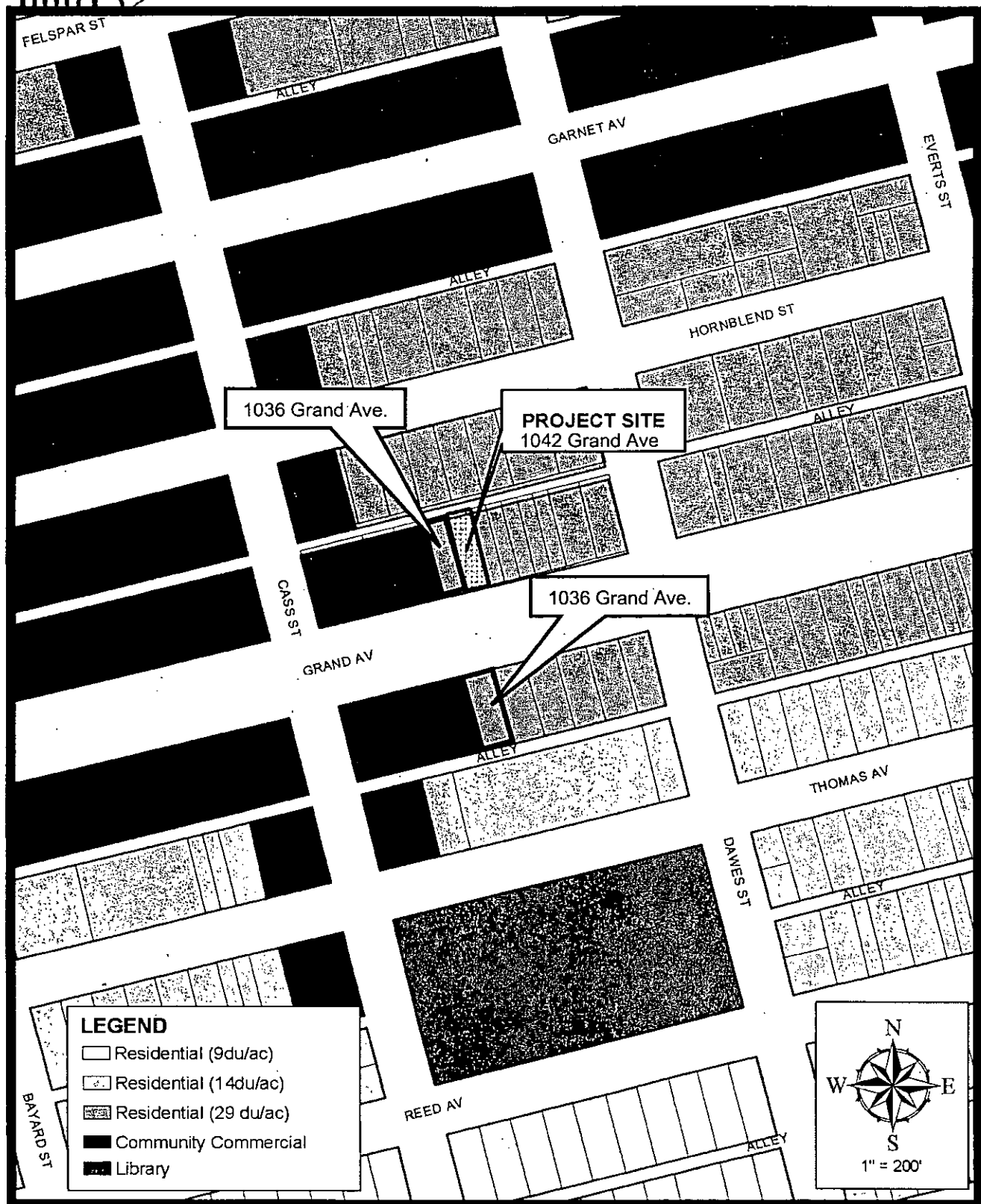
1042 Grand Avenue





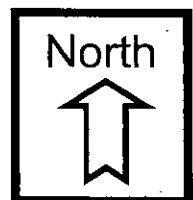
1042 Grand Avenue – Pacific Beach

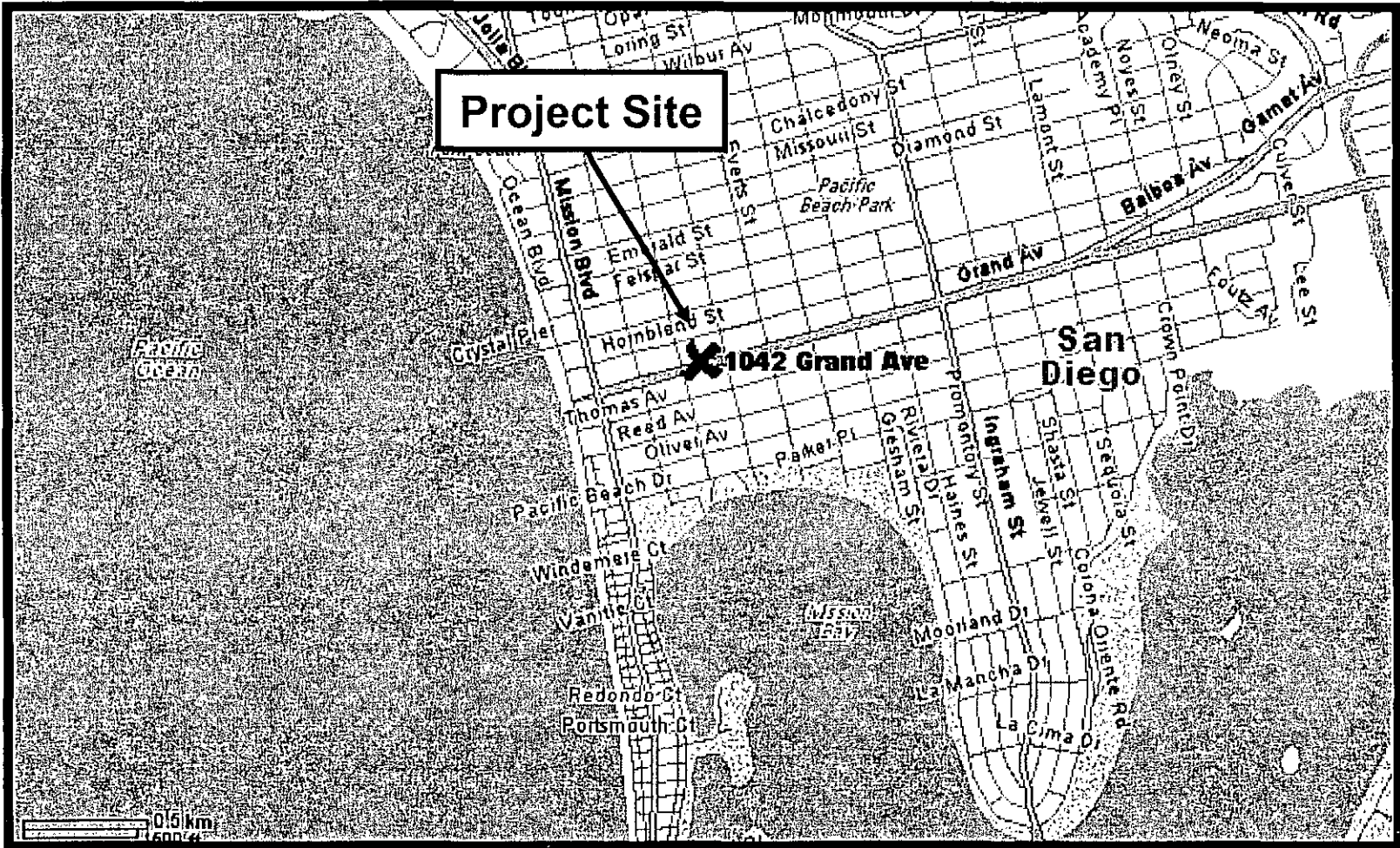




Land Use Map

GRAND AVENUE MIXED USE – PROJECT NUMBER 59006
1042 Grand Avenue



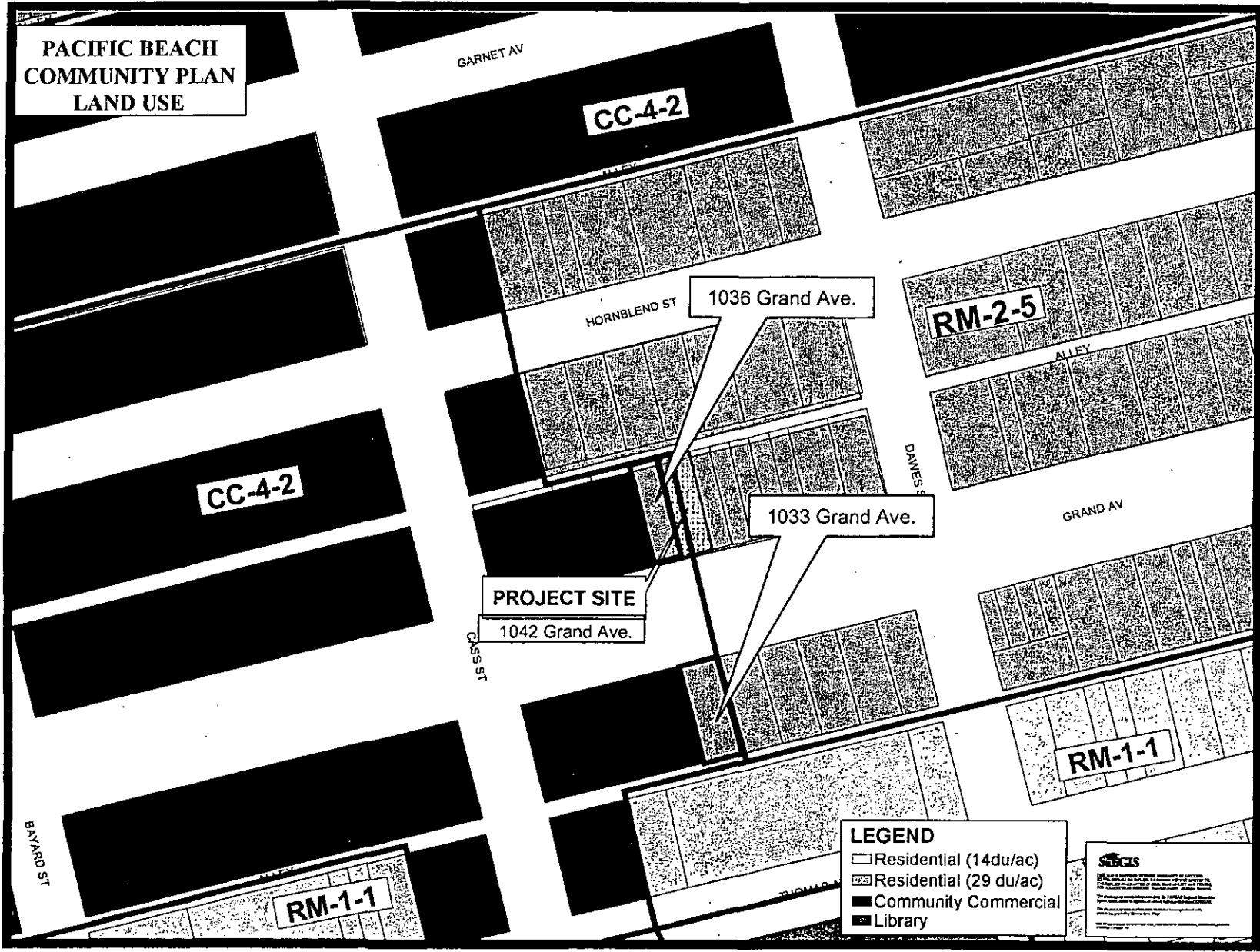


Project Location Map

GRAND AVENUE MIXED USE – PROJECT NUMBER 59006
1042 Grand Avenue



PACIFIC BEACH
COMMUNITY PLAN
LAND USE



Page 1 of 1

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ATTACHMENT 5



Community Land Use Map and Zoning Boundaries

GRAND AVENUE MIXED USE – PROJECT NUMBER 59006

1042 Grand Avenue – Pacific Beach

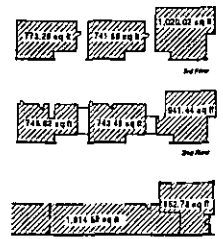
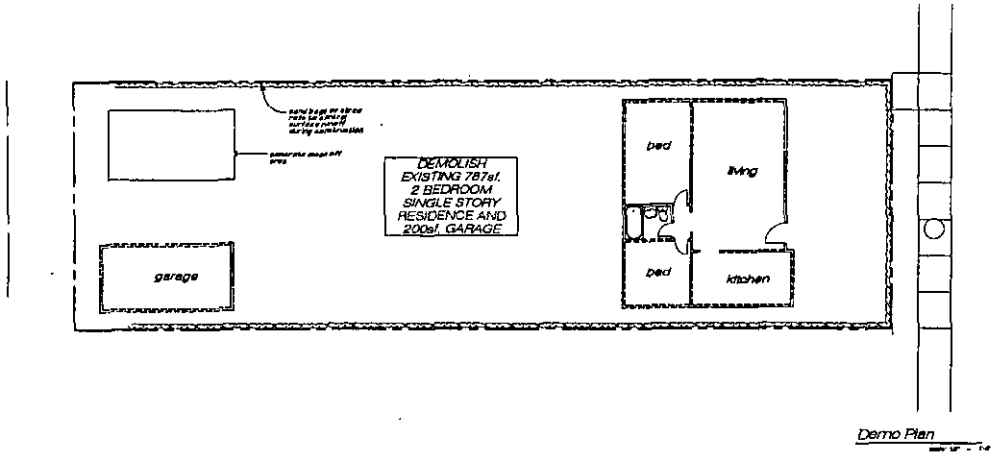


000155 PROJECT DATA SHEET		
PROJECT NAME:	Grand Avenue Mixed Use	
PROJECT DESCRIPTION:	Demolition of an existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building on a 4,688 square foot lot.	
COMMUNITY PLAN AREA:	Pacific Beach	
DISCRETIONARY ACTIONS:	Community Plan Amendment, Local Coastal Plan Amendment, Rezone, Coastal Development Permit, Variance, and Map Waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Current: Medium-Density (14-29 DU/acre) Residential Proposed: Community-Commercial	
<p align="center"><u>ZONING INFORMATION:</u></p> <p>ZONES: CC-4-2 and RM-2-5: (Commercial-Community and Multi-Family Residential Zones)</p> <p>HEIGHT LIMIT: CC-4-2: 60 feet / RM-2-5: 40 maximum height limit.</p> <p>LOT SIZE: CC-4-2: 5,000 sq. ft / RM-2-5: 6,000 sq. ft. minimum lot size.</p> <p>FLOOR AREA RATIO: CC-4-2: 2.0 maximum / RM-2-5: 1.35 maximum</p> <p>FRONT SETBACK: CC-4-2: N/A / RM-2-5: 15 feet minimum</p> <p>SIDE SETBACK: CC-4-2: 10 feet / RM-2-5: 5 feet minimum</p> <p>STREETSIDE SETBACK: CC-4-2: N/A / RM-2-5: 10 feet minimum</p> <p>REAR SETBACK: CC-4-2: 10 feet / RM-2-5: 15 feet minimum</p> <p>PARKING: 8 parking spaces are required / 8 parking spaces provided</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Medium-Density Residential; RM-2-5	Single family residence
SOUTH:	Medium-Density Residential; RM-2-5	Pet Hospital
EAST:	Medium-Density Residential; RM-2-5	Single family residence
WEST:	Medium-Density Residential; CC-4-2	Single family residence
DEVIATIONS OR	Variances are requested due to substandard lot size related	

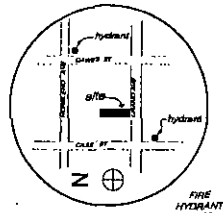
ATTACHMENT 6

VARIANCES REQUESTED: 000156	to parking within the front half of the lot, counting tandem parking as two parking spaces when outside the Tandem Parking Overlay Zone, and not providing required landscape screening along the residential side of the property.
COMMUNITY PLANNING GROUP RECOMMENDATION:	On May 24, 2006, the Pacific Beach Community Planning Committee voted 15-2-0 to recommend denial of the project based on parking concerns. The Pacific Beach Community Planning Committee made an additional motion to approve the proposed community plan amendment associated with the project. The group voted 17-0 to approve the community plan amendment.

ATTACHMENT 7 DEVELOPMENT SUMMARY



Gross Floor Area Diagram



Fire Hydrant Map

PROJECT DESCRIPTION:
Removal of an existing 787 sq ft (2 bedrooms) 1 story single family residence and a 200 sq ft garage. Core lot is 7744 sq ft. The site is located on the corner of Grand Avenue, Ocean, and 3rd Avenues.

PERMITS CALCULATION:
Based on the existing 787 sq ft (2 bedrooms) 1 story single family residence and a 200 sq ft garage. Core lot is 7744 sq ft. The site is located on the corner of Grand Avenue, Ocean, and 3rd Avenues.

PROJECT TEAM:
Architect: David Barker
2875 7th Ave. Suite 201
San Diego, CA 92162
Tel: 619-591-7777

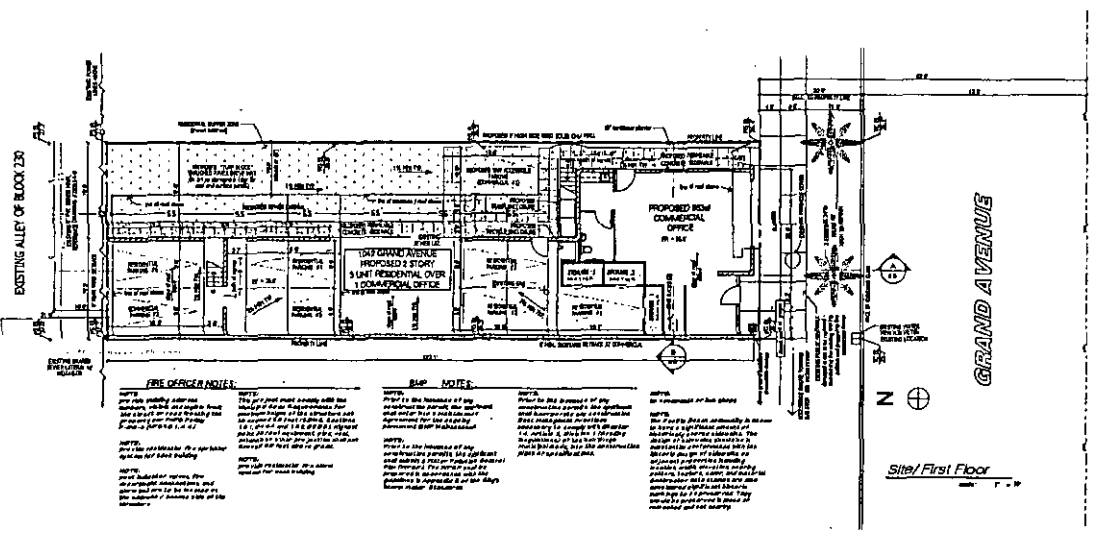
OWNER:
David Barker
2875 7th Ave. Suite 201
San Diego, CA 92162

LEGAL DESCRIPTION:
LOT 20 AND THE EASTERN HALF OF LOT 21 IN BLOCK 22 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE SAN DIEGO COUNTY RECORDS, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1.

APN:
2875 7th Ave. Suite 201
San Diego, CA 92162

TYPE OF CONSTRUCTION:
DEMOLITION
STORY: 1
BUILDING HEIGHT: 10' maximum
GROSS FLOOR AREA: 787 sq ft (2 bedrooms) + 200 sq ft (garage) = 987 sq ft

PERMITTED DEVELOPMENT:
Change / Current Permitting
Unit 1: 10' maximum
Unit 2: 10' maximum
Unit 3: 10' maximum
TOTAL PROPOSED: 30' maximum
F.A.A. = 10' x 10' x 10' = 1000 sq ft



LEGAL DESCRIPTION OF PARCELS TO THE EAST:
LOT 20 AND THE EASTERN HALF OF LOT 21 IN BLOCK 22 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE SAN DIEGO COUNTY RECORDS, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1.

LEGAL DESCRIPTION OF PARCELS TO THE WEST:
LOT 20 AND THE EASTERN HALF OF LOT 21 IN BLOCK 22 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE SAN DIEGO COUNTY RECORDS, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1.

Project Name:	David Barker Mixed Use Project	Revision 14
Project Address:	1044 Grand Ave. San Diego, CA 92109	Revision 13
Design Team:	David Barker 2875 7th Ave. Suite 201 San Diego, CA 92162	Revision 12
Client / Owner:	David Barker 2875 7th Ave. Suite 201 San Diego, CA 92162	Revision 11
Legal Description:	LOT 20 AND THE EASTERN HALF OF LOT 21 IN BLOCK 22 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE SAN DIEGO COUNTY RECORDS, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1, AND THE OFFICE OF THE COUNTY CLERK, COUNTY OF SAN DIEGO, BOOK 1, PAGE 1.	Revision 10
APN:	2875 7th Ave. Suite 201 San Diego, CA 92162	Revision 9
JOHNSON DEMONSTRATION:	433 6th St. Suite 100 San Diego, CA 92101	Revision 8
TYPE OF CONSTRUCTION:	DEMOLITION STORY: 1 BUILDING HEIGHT: 10' maximum GROSS FLOOR AREA: 787 sq ft (2 bedrooms) + 200 sq ft (garage) = 987 sq ft	Revision 7
PERMITTED DEVELOPMENT:	Change / Current Permitting Unit 1: 10' maximum Unit 2: 10' maximum Unit 3: 10' maximum TOTAL PROPOSED: 30' maximum F.A.A. = 10' x 10' x 10' = 1000 sq ft	Revision 6
Original Date:	10/1/01	Revision 5
Site / Demo Plans		Revision 4
		Revision 3
		Revision 2
		Revision 1

Sheet 1 of 1



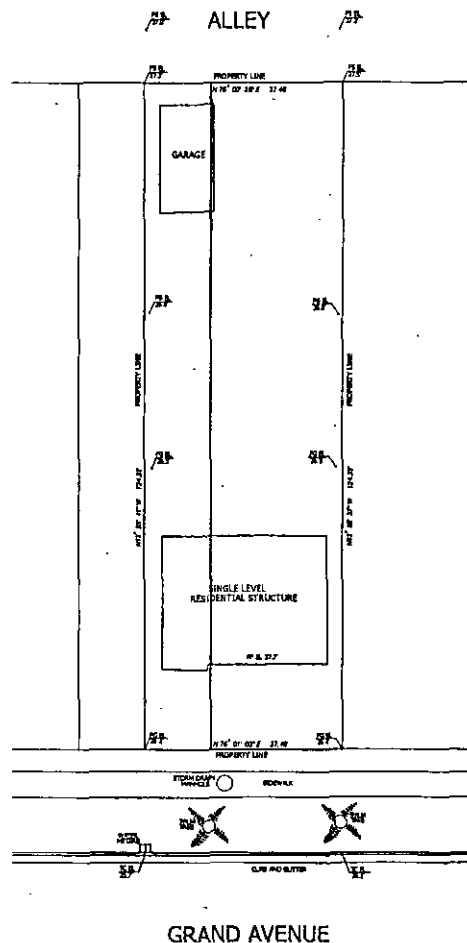
SUMMARY OF LANDSCAPE CALCULATIONS:

SHEET NAME	ROAD		
REGULATORY ZONE			
TOTAL AREA: 361.4			
PLANT POINTS REQUIRED	<u>21.00</u>	POINTS REQUIRED <u>172.00</u>	EXCESS POINTS PROVIDED <u>55.00</u>
			EXCESS POINTS = 100%
MINIMUM AN UNF AREA (+ 50 SQM)			
TOTAL AREA: 1.038			
PLANT POINTS REQUIRED	<u>1.00</u>	POINTS REQUIRED <u>17.00</u>	EXCESS POINTS PROVIDED <u>15.00</u>
			EXCESS POINTS = 100%
RESIDENTIAL BUFFER ZONE			
TOTAL AREA: 1.038			
PLANT POINTS REQUIRED	<u>1.00</u>	POINTS REQUIRED <u>17.00</u>	EXCESS POINTS PROVIDED <u>15.00</u>
			EXCESS POINTS = 100%

Landscape Development Plan

000161

SCALE: 1" = 10'



DEVELOPMENT SUMMARY

PROJECT DESCRIPTION:
 Conversion of an existing 1-story single family residence and a 2-story garage structure to 2 stories including a Covered Parking, Office, and 2 Condominiums.
Location: Community Plan Amendment, Resource, Local Coastal Program Amendment, Historic, and Coastal Development Permit, Tentative Map Review

PLANNING CALCULATION:
 1.001 acre total lot area 2.8
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PROPOSED FLOOR AREA:
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ATTACHMENT 7 LEGAL DESCRIPTION

LOT 30 AND THE EASTERLY HALF OF LOT 31 IN BLOCK 200 OF PACIFIC BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 154, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 4, 1913. LEGAL DESCRIPTION NOT PROVIDED.

NOTES

1. EASEMENTS, AGREEMENTS, DOCUMENTS AND OTHER MATTERS WHICH AFFECT THIS PROPERTY MAY EXIST, BUT CANNOT BE PLOTTED. TITLE REPORT NOT PROVIDED.
2. THE PRECISE LOCATION OF UNDERGROUND UTILITIES COULD NOT BE DETERMINED IN THE FIELD. PRIOR TO ANY EXCAVATION UTILITY COMPANIES WILL NEED TO MARK OUT THE UTILITY LOCATIONS.
3. THE ADDRESS FOR THE SUBJECT PROPERTY IS 1042 GRAND AVENUE, SAN DIEGO, CA 92109.
4. THE ASSessor PARCEL NUMBER FOR THE SUBJECT PROPERTY IS 423-052-10.
5. THE TOTAL AREA OF THE SUBJECT PARCEL IS 0.11 ACRES.

ABBREVIATIONS

EL ELEVATION
 TF FINISH GRADE
 FG FINISH GRADE
 FS FINISH SURFACE
 TC TOP OF CURB
 TYP TYPICAL

BENCHMARK

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE NORTHWEST CORNER OF GRAND AVENUE AND DAVES STREET. ELEVATION 26.37 MEAN SEA LEVEL (M.S.L. 1929).

BASIS of BEARINGS

The Northwesterly line of Grand Avenue as shown on Parcel Map No. 19381 (N 78° 01' 02" E)



Prepared By:
 CHRISTENSEN ENGINEERING & SURVEYING
 7888 SILVERTON AVENUE, SUITE 7
 SAN DIEGO, CA 92126
 PHONE (619) 771-9901 FAX (619) 771-8912

Project Address:
 1042 GRAND AVENUE
 SAN DIEGO, CA 92109

Revision 5:
 Revision 4:
 Revision 3: 04/27/06
 Revision 2: 12/15/05
 Revision 1: 01/18/04

Project Name:
 1042 GRAND AVENUE

Original Date: SEPTEMBER 14, 2005

Sheet Title:
 TOPOGRAPHIC MAP

Sheet 8 of 8
 DEPT

CE & S
 CHRISTENSEN ENGINEERING & SURVEYING
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS
 7888 SILVERTON AVENUE, SUITE 7, SAN DIEGO, CALIFORNIA 92126
 TELEPHONE: (619) 771-9901 FAX: (619) 771-8912

Map #348218
Tentative Map Waiver

CITY COUNCIL
RESOLUTION NO. XXXX
MAP WAIVER NO. 348218
GRAND AVENUE MIXED USE - PROJECT NO. 59006
DRAFT

WHEREAS, STANLEY R. SIMPSON, Applicant/Subdivider, and BRISENDINE LAND SERVICES, Surveyor, submitted an application with the City of San Diego for a Map Waiver, No. 348218, for the construction of a total 3 condominium units. The project site is located at 1042 Grand Ave, Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854, west of Dawes Street, east of Cass Street, north of and adjacent to Grand Avenue, south of Hornblend Street, within the RM-2-5 and CC-4-2, Coastal Overlay (non-appealable), Parking Impact Overlay and Coastal Height Limit Overlay Zones, within the Pacific Beach Community Plan and Local Coastal Program Area; and

WHEREAS, the Map proposes the subdivision of a 0.11 acre site into one (1) lot for a 3 unit residential and 1 unit commercial, for a total of 4 units, condominium development; and

WHEREAS, a Negative Declaration No. 59006 was prepared in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineering pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, on _____, the City Council of the City of San Diego considered Map Wavier No. 348218, and pursuant to Section 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Map Waiver No. 348218:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).

3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the City Council, Map Waiver No. 348218, is hereby granted to STANLEY R. SIMPSON, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Map Waiver will expire December 7, 2009.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. A Parcel Map shall to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder, prior to the Map Waiver expiration.

4. The Parcel Map shall conform to the provisions of Coastal Development Permit No. 173574, Community Plan Amendment No. 391242, Rezone No. 391244 and Variance No. 348219.

AFFORDABLE HOUSING

5. Prior to recordation of the Parcel Map, the applicant shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

ENGINEERING

6. Prior to the building occupancy, the subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
7. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
8. Prior to the issuance of any construction permit the subdivider shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
9. The subdivider shall replace the damaged and uplifted portions of sidewalk, maintaining the existing scoring pattern and preserving any contractor's stamp, adjacent to the site on Grand Avenue.
10. The subdivider shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying the pad elevation based on USGS datum is in accordance with the approved plans.
11. The subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
12. The subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or

provide other means to assure the undergrounding, satisfactory to the City Engineer.

13. Prior to the recordation of the final map, taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition.
14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769830.

15. Prior to Parcel Map, the applicant shall conform to Municipal Code provisions for "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the City Engineer.
16. The requested undergrounding waiver of existing overhead facilities in the abutting public right-of-way, qualifies under the guidelines of Council Policy No. 600 25-Underground Conversion of Utility Lines at Developers Expense in that: the conversion involves a short span of overhead facility (less than 600 feet in length).

MAPPING

17. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
18. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
19. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north

point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

WATER AND SEWER

20. The subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
21. The subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

INFORMATION:

- The approval of this Parcel Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- This development may be subject to payment of a park fee prior to the filing of the Parcel Map in accordance with San Diego Municipal Code.
- Subsequent applications related to this Parcel Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Parcel Map, may protest the imposition within 90 days of the approval of this Parcel Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

000169

ATTACHMENT 9

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON _____.

By _____.

NAME

Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-INSERT

Form=permitr.frm(61203wct)

Reviewed by Laura C Black

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-4990

COASTAL DEVELOPMENT PERMIT NO. 173574
VARIANCE NO. 348219
GRAND AVENUE MIXED USE – PROJECT NO. 59006
CITY COUNCIL

This Coastal Development Permit No. 173574 and Variance No. 348219, is granted by the City Council of the City of San Diego to STANLEY R. SIMPSON, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0708 and 126.0805. The 4,688 square-foot site is located at 1042 Grand Ave in the RM-2-5 and CC-4-2, Coastal Overlay (non-appealable), Parking Impact Overlay and Coastal Height Limit Overlay Zones, within the Pacific Beach Community Plan and Local Coastal Program Area. The project site is legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated _____, on file in the Development Services Department.

The project shall include the following:

- a. Demolition of the existing one-story 787 square foot single family residence and detached 200 square foot garage;
- b. Construction of a three-story mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet;

- c. Variance to allow tandem parking to count as two spaces outside of the Residential Tandem Parking Overlay Zone and to allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone.
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Provide 8 off-street parking spaces; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted; nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including,

but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act (ADA) requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

ENGINEERING REQUIREMENTS:

12. The Permit shall comply with the conditions of Map Waiver No. 348218.

LANDSCAPE REQUIREMENTS:

13. Prior to issuance of any construction permits, landscape construction documents for the revegetation and hydro-seeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A", on file in the Office of the Development Services Department.

14. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under SDMC Section 142.0403(b)(5).

15. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

16. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

17. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy or a Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

18. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

19. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

20. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.
21. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
22. All signs associated with this development shall be consistent with sign criteria established by Citywide sign regulations.
23. The Owner/Permittee shall post a copy of the approved discretionary permit or Map in the sales office for consideration by each prospective buyer
24. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.
25. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.
26. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.
27. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.
28. Prior to the issuance of construction permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A," on file in the Development Services Department.
29. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

TRANSPORTATION REQUIREMENTS:

30. No fewer than 8 off-street parking spaces of which one space is an accessible parking space, and two bicycle spaces shall be maintained on the property at all times in the approximate

locations shown on the approved Exhibits "A," on file in the Office of the Development Services Department. Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

31. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

WASTEWATER REQUIREMENTS:

32. The Owner/Permittee shall install a new sewer lateral to serve this development.

33. The Owner/Permittee shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego Sewer Design Guide. Proposed facilities that do not meet the current standards shall be private or redesigned.

34. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

WATER REQUIREMENTS:

35. Prior to the issuance of any construction permits the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) as needed, outside of any driveway or drive aisle, in the right-of-way adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

36. Prior to the issuance of any construction permits, the Owner/Permittee shall apply for a plumbing permit for the installation of the appropriate backflow prevention devices on each water service (domestic, fire and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer and the Cross-Connection Control Group in the Customer Support Division of the Water Department.

37. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including water services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

38. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on _____, Resolution No. XXXX.

AUTHENTICATED BY THE CITY MANAGER

By _____

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

Stanley R. Simpson
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

CITY COUNCIL
RESOLUTION NO. XXXX
COASTAL DEVELOPMENT PERMIT NO. 173574
VARIANCE NO. 348219
GRAND AVENUE MIXED USE – PROJECT NO. 59006

WHEREAS, STANLEY R. SIMPSON, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits No. 173574, 391242, 391244 and 348219), on portions of a 4,688 square foot site;

WHEREAS, the project site is located at 1042 Grand Ave, west of Dawes Street, east of Cass Street, north of and adjacent to Grand Avenue, south of Hornblend Street, within the RM-2-5 and CC-4-2, Coastal Overlay (non-appealable), Parking Impact Overlay and Coastal Height Limit Overlay Zones, within the Pacific Beach Community Plan and Local Coastal Program Area;

WHEREAS, the project site is legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854;

WHEREAS, on _____, the City Council of the City of San Diego considered Coastal Development Permit No. 173574, Community Plan Amendment No. 391242, Rezone No. 391244 and Variance No. 348219 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego as follows:

That the City Council adopts the following written Findings, dated December 7, 2006.

FINDINGS:

Coastal Development Permit – Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The 4,688 square foot interior lot is located north of and adjacent to Grand Avenue, west of Dawes Street, east of Cass Street, and south of Hornblend Street. The proposed project would comply

with all required setbacks and the coastal height limit. Grand Avenue is developed in its entirety, adjacent to and across from the proposed project. The proposed coastal development will take place entirely within private property and will not encroach upon any existing physical access way legally used by the public.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The site has been previously developed and there is no sensitive habitat on the project site. Staff has determined the proposed project for 1042 Grand Avenue will not adversely affect environmentally sensitive lands and no mitigation measures are required; therefore, Negative Declaration No. 59006 has been prepared for the project.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The project is located in an area identified as medium density, 14-29 DU/acre, residential in the Pacific Beach Community Plan. The proposed community plan amendment incorporated into this project would amend the Pacific Beach Community Plan and Local Coastal Program to designate the property, and two other properties addressed 1036 Grand Avenue and 1033 Grand Avenue, as Community Commercial. The proposed development is consistent with the Community Commercial land use designation. The project would adhere to community goals since it has been designed in a manner that does not intrude into any of the physical access ways used by the public, protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of the proposed project and the older structures as stated in the adopted Local Coastal Program land use plan. In addition, the project complies with all applicable regulations of the Land Development Code.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The proposed coastal development lies approximately 1,800 feet from the shoreline of the Pacific Ocean. The first public roadway adjacent to this property is located along Grand Avenue and the first public roadway from the Pacific Ocean is Mission Boulevard. There would be no impacts to public beach parking because the proposed enclosed parking spaces and on-site parking spaces would be used

for the required off-street parking spaces. The project is surrounded by streets and sidewalks which are all developed. Variances from the development regulations of the CC-4-2 Zone would be required to implement the proposed project. The variance requests have been permitted to allow tandem parking to count as two spaces where outside of the Residential Tandem Parking Overlay Zone they would count as 1 space and to allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone. The proposed coastal development would therefore, conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Variance – Section 126.0805

1. There are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations;

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

There are special circumstances that apply to the subject property that are peculiar to the premise and do not apply generally to other premises in the neighborhood. The property is 37 feet wide when the CC-4-2 zone requires a minimum lot width of 50 feet. The property has 37 feet of street frontage when the CC-4-2 zone requires a minimum street frontage of 50 feet. The project contains tandem residential parking spaces that count towards two parking spaces. The project is located outside the Residential Tandem Parking Overlay Zone where tandem parking would be counted as one parking space. The project design contains covered on-site parking spaces which are counted towards the gross floor area (GFA) for the project site. These covered parking spaces are located within the front half of the lot. The CC-4-2 Zone doesn't allow residential parking spaces within the front half of a lot.

The project also cannot meet the requirements for landscape adjacent to the residential zone, as required within SDMC Section 142.0405(c)(3). This section of the municipal code requires that a 5-foot wide area along the entire abutting property line shall be planted with trees to achieve a minimum of .05 points per square foot of area in addition to the points required in the remaining yard. Due to the lot size and project design, this landscape requirement cannot be met within the front 40-feet of the property adjacent to the residential. However, the area where this landscape requirement cannot be met is providing pedestrian access from Grand Avenue to the residential units on the project site.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises;

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

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The project also cannot meet the requirements for landscape adjacent to the residential zone, as required within SDMC Section 142.0405(c)(3). This section of the municipal code requires that a 5-foot wide area along the entire abutting property line shall be planted with trees to achieve a minimum of .05 points per square foot of area in addition to the points required in the remaining yard. Due to the lot size and project design, this landscape requirement cannot be met within the front 40-feet of the property adjacent to the residential. However, the area where this landscape requirement cannot be met is providing pedestrian access from Grand Avenue to the residential units on the project site.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare; and

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

Granting the variance would allow the project to provide off-street parking that will not have a visual impact to the adjacent properties. The project will be required to obtain building permits to show that all

construction will comply with the applicable Building and Fire Code requirements. Granting of the variance therefore will be in harmony with general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable land use plan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall specify that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan.

The project proposes to demolish the existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

The proposed project is located in the Coastal Overlay Zone and the proposed development will amend the Pacific Beach Community Plan to designate the site as Community Commercial. As part of the proposed development, the Local Coastal Plan will also be amended. The project site is not located within or adjacent to the Multi-Habitat Planning Area (MHPA). The site will be designated for community commercial development and the proposed use is consistent with the land use designation. Negative Declaration No. 95006 has been prepared for the project and has determined that project implementation would not result in a significant environmental impact and no mitigation is required. The proposed development would be compatible with the surrounding properties.

The recommendations of the Pacific Beach Community Plan applicable to the site include promoting a mixture of commercial uses and services within Pacific Beach to meet the variety of needs for existing and future resident and visitor populations. Therefore, the granting of the variance will not adversely affect the Pacific Beach Community Plan.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Coastal Development Permit No. 173574 and Variance No. 348219 is granted to Stanley R. Simpson, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

NAME

Deputy City Attorney

ATTY/SEC. INITIALS

000183

ATTACHMENT 11

DATE

Or.Dept:Clerk

R-INSERT

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Reviewed by Laura C Black

000184

PLANNING COMMISSION RESOLUTION NO. 3826-PC

INITIATING A LAND USE PLAN AMENDMENT TO THE PACIFIC
 BEACH COMMUNITY PLAN AND PROGRESS GUIDE AND
 GENERAL PLAN TO RE-DESIGNATE AN APPROXIMATE 4,688
 SQUARE-FOOT SITE FROM MEDIUM-DENSITY RESIDENTIAL TO
 COMMUNITY COMMERCIAL USE
 (GRAND AVENUE MIXED USE CPA, 59006)

WHEREAS, Stanley Simpson, Owner/Applicant, filed an application with the City of San Diego for a land use plan amendment to the Pacific Beach Community Plan and Progress Guide and General Plan to re-designate a 4,688 square-foot site located at 1042 Grand Avenue from Medium-Density Residential to Community Commercial use;

WHEREAS, Municipal Code Section 122.0104 provides for the initiation of a land use plan amendment if any of the three initial criteria are met, or, if all of the four supplemental criteria are met;

WHEREAS, the Planning Department evaluated the proposed land use plan amendment and determined that the proposed re-designation of the site met the four supplemental criteria required for initiation, and that the proposed re-designation would require further study (as described in staff report PC-05-219);

WHEREAS, on August 4, 2005, the Planning Commission of the City of San Diego considered the Planning Department staff report and all other evidence and testimony presented at the meeting and determined that all of the criteria for the initiation of a land use plan amendment contained in Municipal Code Section 122.0104 are met by this request.

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby initiates the requested General Plan and Pacific Beach Community Plan amendment; and

BE IT FURTHER RESOLVED, that the following issues will be considered as part of the community plan amendment analysis:

- Analysis of expanding the boundaries of the plan amendment to include the two residentially designated parcel in the commercial zone;
- Compatibility of the proposed mixed-use development with adjacent residential development;
- Measures to ensure the provision of mixed-use development;
- Implementation of the Pacific Beach Community Plan Transit-Oriented Development Standards;
- The impact additional commercial and potential residential development would have on public services and facilities;

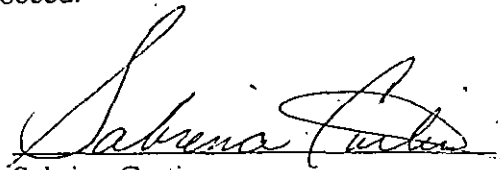
000185

- Evaluation of any traffic impacts associated with the addition of a commercial component on the site;
- Rezone of the residentially zoned portion of the site to commercial for consistency with the proposed commercial land use; and
- Inclusion of any additional properties within the area which have residential land use and commercial zoning.

BE IT FURTHER RESOLVED, that this initiation does not constitute an endorsement of a project proposal. This action will allow staff analysis to proceed.



Melissa Devine
Junior Planner, Planning Department



Sabrina Curtin
Legislative Recorder

Community Plan Amendment Issues Analysis

The following section analyzes the various land use issues identified by staff and Planning Commission at the August 4, 2005 General and Community Plan Amendment Initiation hearing:

- **Analysis of expanding the boundaries of the plan amendment to include the two residentially designated parcel in the commercial zone and inclusion of any additional properties with the area which have residential land use and commercial zoning**

Staff has conducted a review of both the land use map of the Pacific Beach Community Plan and the existing zoning for the community to identify any additional properties where the land use and the underlying zone are inconsistent. Two additional properties have been identified for inclusion within the proposed General and Community Plan Amendment. These sites include an 0.11-acre site (1036 Grand Avenue) located west of the proposed project which is currently occupied by a single family residence and a 0.14-acre site (1033 Grand Avenue) that is located south of the project site across Grand Avenue and is currently occupied by a pet hospital. Both sites are currently zoned for commercial (CC-4-2), but are currently designated for residential in the community plan. The inclusion of the two additional properties would create a feasible extension to the commercial uses that expand from the Cass Street/Grand Avenue intersection given their proximity to existing commercial uses, potential for redevelopment, and the nature of existing uses on site. Additionally, both sites are located contiguously with other properties that are both zoned and designated for commercial use. The property owners for these additional sites have been informed by the applicant regarding the proposed project and support the inclusion of their respective properties in the proposed General and Community Plan Amendment. Endorsement of the proposed land use plan amendment by the property owners of these additional properties, as well as the adjacent property owners is included in Attachment 20 of the staff report.

- **Compatibility of the proposed mixed-use development with adjacent residential development**

The proposed project site would consist of 3 residential units and 863 square feet of ground floor retail space. As a mixed-use development, the proposed project would provide a transition between the adjacent single-family development to the east and the commercial designated properties to the west. The proposed project would propose a 3-story structure measuring 30 feet in. With residential development along the Grand Avenue corridor limited to a height of 30 feet, the proposed project would not result in a development that would exceed a development height typically allowed of adjacent residential development, therefore no potential impacts resulting from the project's building height would be created. Further, given the diverse character of building styles along Grand

Avenue, the proposed project would not result in a development that is clearly out of character with the adjacent residential neighborhood.

- **Measures to ensure the provision of mixed-used development and analysis of the proposed rezone for consistency with the proposed commercial land use**

The proposed project would consist of a mixed-use development consisting of 3 apartment units and 863 square feet of area commercial-office space. The project also proposes a rezone of a portion of the project site from RM-2-5 to CC-4-2, which is a zone that promotes mixed use and allows multi-family development only in conjunction with a commercial structure. The proposed rezone of the project site to CC-4-2 (Commercial-Community) would be consistent with the proposed land use designation of Community Commercial. The intent of the Community Commercial land use designation is to allow community-serving retail, service and office uses in a pedestrian-oriented development pattern in addition to promoting mixed-use along its commercial/transit corridors. Under the proposed rezone, multi-family residential and a variety of retail sales, commercial services, and office-related uses would be allowed and therefore, would be consistent with the proposed land use designation.

- **Implementation of the Pacific Beach Community Plan Transit-Oriented Development Standards**

The Commercial Land Use Element of the Pacific Beach Community Plan, recommends that new projects along transit corridors incorporate transit-oriented development (TOD) standards into their design. These standards include minimizing building setbacks, locating parking to the rear of the lot, articulating building façade, orienting the commercial entrance to the street, providing bus shelters and bike racks, and providing public plazas as space permits. Additionally, the community plan recommends the utilization of alleys for vehicular access where it is safe and efficient.

The proposed project would meet the TOD standard in the community plan for minimizing building setbacks and locating the parking to the rear of the building by bringing the building close to the sidewalk with direct access to the building from the street and locating parking to the rear of the building adjacent and off the existing alley. In order to meet the standard of providing building articulation, the proposed project would utilize an upper story setback with balconies and varying window sizes to further articulate the southern elevation. A large portion of the eastern elevation would be further set back from the property line by approximately 18 feet. The 3 residential units above the ground floor retail and parking would appear to be virtually separated from each other by 6 feet except for balconies that connect the three buildings along the third story. The western elevation would incorporate windows, balconies, varying colors, and building materials in order to lend further articulation to the proposed modern architectural design of the project.

As a way of meeting the TOD standard of creating interest and activity in the proposed development, the project would include balconies along the upper stories of the project. The proposed project would also meet the standard of orienting commercial buildings to the street by locating the commercial entrance and storefronts to Grand Avenue. Although the TOD standard of providing bus shelters at established bus stops would not apply since there are no bus stops immediately adjacent to the project, the project would be serviced by an offsite transit stop for bus route 30 located west of the project on the northwest corner of the Cass Street and Grand Avenue.

In order to meet TOD standards for providing bicycle facilities, public plaza and courtyard areas, the project would provide bicycle racks within internal entry of the proposed office-commercial use. Currently, there is no existing bikeway along Grand Avenue; however the community plan does designate Grand Avenue as a future Class II Bikeway. Given the size of the project site, incorporating a public plaza or courtyard areas would be infeasible. Instead, the proposed project would utilize turf block for its driveway in order to minimize the hardscape area within the project. This component of the project would serve to soften the hardscape driveway, as well as help filter surface runoff.

- **The impact additional commercial and potential residential development would have on public services and facilities**

The proposed mixed-use project would provide an additional opportunity for commercial services within the immediate neighborhood. Given its limited square footage, the commercial component associated with the project would most likely accommodate a business office-type use. The proposed land use amendment and rezone associated with the project would not result in any additional units than what is allowed under the current land use density. The current land use designation of Medium-Density Residential 14 to 29 dwelling units, would allow 1 to 3 dwelling units on site. Although the proposed Community Commercial land use designation would not require residential use, the proposed CC-4-2 zone would allow 1 dwelling unit per 1,500 square feet, resulting in a maximum of 3 dwelling units on site. Similarly, the two additional properties included in the proposed land use amendment would still be allowed to develop under their existing commercial zoning, since only the land use designation would be changed to be consistent with the current zone.

The proposed project and land use amendment would not result in any increase in residential density than what would typically be allowed under the current land use and zone, therefore there are no significant impacts to public services or facilities. According to City staff, the proposed project site currently shares an existing sewer lateral with the adjacent property to the west and would require a separate sewer lateral to the site from the sewer main located within Grand Avenue. The proposed sewer lateral would be conditioned upon approval of the

necessary entitlements and would be designed in accordance with City standards. Police Services are adequate to service the proposed project. The project would fall under the Northern Area Division. Currently, police services are adequate to serve the proposed project. A police storefront is located within the community, approximately 1 mile to the east of the proposed project. The proposed land use amendment was reviewed by the Police Department and their comments have indicated no major concerns or issues related the development proposal or it's affect on current police response times. Fire emergency services for the community would be provided by Fire Station 21 with a current response time of 1.5 minutes within the community. Fire Station 21 is located approximately 0.33 miles west from the proposed project site and is adequate to service the project.

- **Evaluation of any traffic impacts associated with the addition of a commercial component on the site**

The proposed project has been evaluated for traffic impacts by staff. Based on the evaluation the proposed project would generate 59 average daily trips with 3 AM peak-hour trips and 7 PM peak-hour trips. Typically, projects which involve a land use amendment, would require a traffic impact study if they exceed 500 average daily trips, however based on the average daily trips generated by this project a traffic impact study would not required nor are any additional transportation improvements required as a result of the proposed mixed-use project.



THE CITY OF SAN DIEGO

Pacific Beach Community Plan and Local Coastal Program Land Use Plan



Approved by The City Planning Commission
on December 2, 1993

Adopted by the City Council on February 28, 1995
by Resolution Number R-28517

Certified by the California Coastal Commission on
May 11, 1995 by Certification Number 2-95C

This information, or this document (or portions thereof), will be made available in alternative formats upon request.



Printed on recycled paper



THE CITY OF SAN DIEGO

Pacific Beach Community Plan and Local Coastal Program Land Use Plan



Approved by the City Planning Commission
on December 2, 1993

Adopted by the City Council on February 28, 1995
by Resolution Number R-285417

Amended by the City Council
on _____, 2007

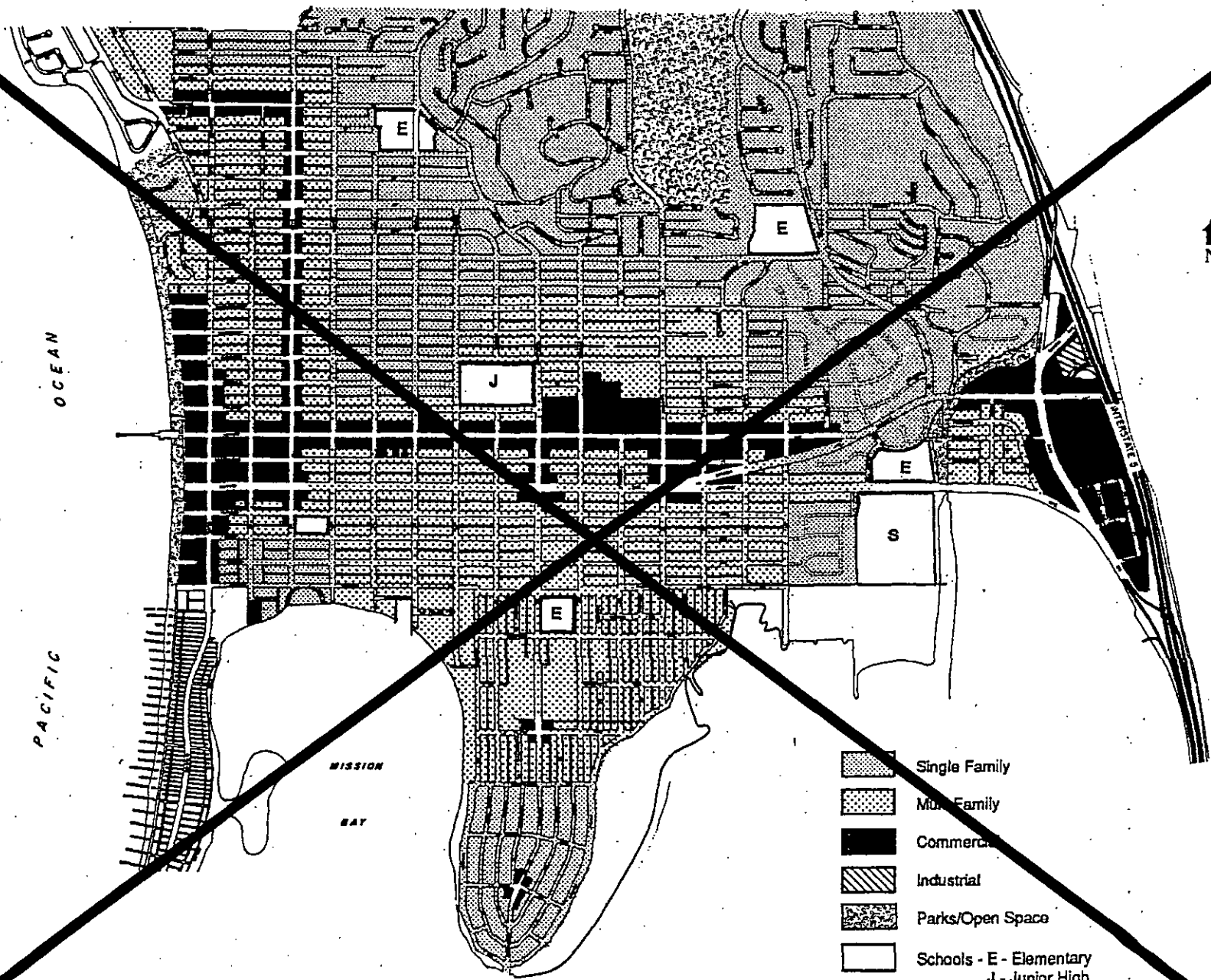
Certified by the California Coastal Commission on May 11, 1995
by Certification Number 2-95C

This information, or this document (or portions thereof), will be made available in alternative formats upon request.



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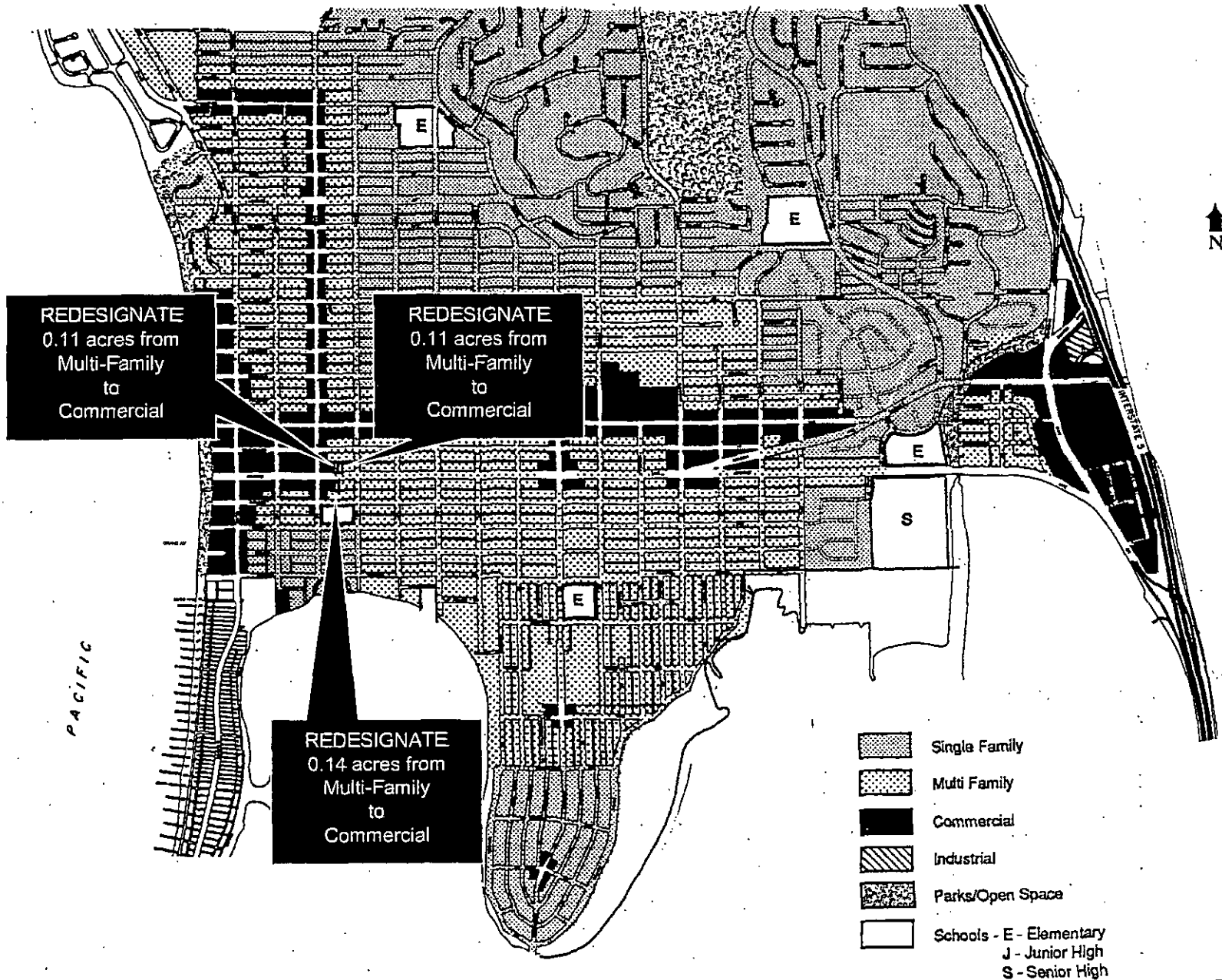
ATTACHMENT 14

FIGURE 1



Community Land Use Map

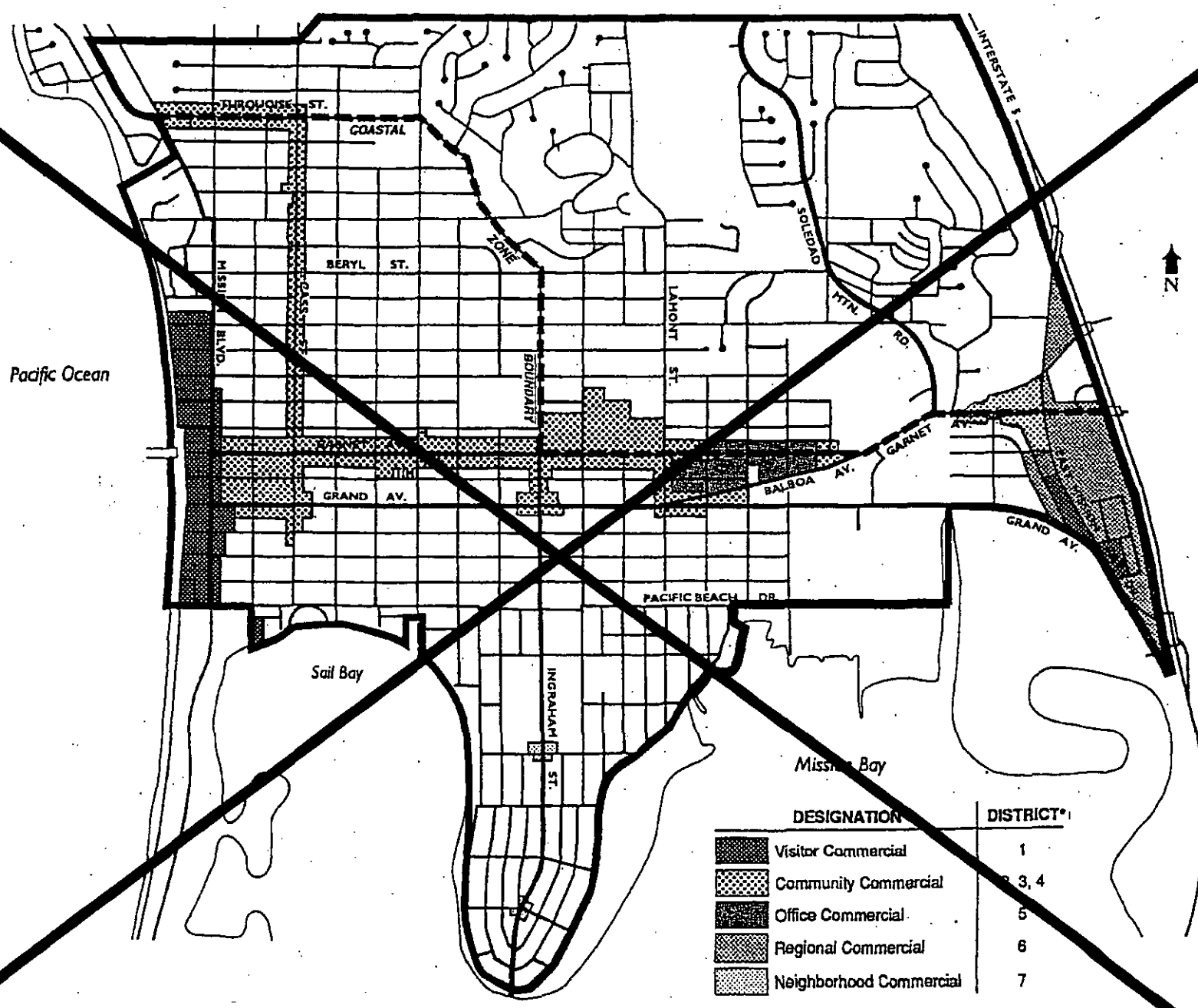
PACIFIC BEACH COMMUNITY PLAN
City of San Diego • Planning Department



Community Land Use Map

PACIFIC BEACH COMMUNITY PLAN
City of San Diego • Planning Department

000194

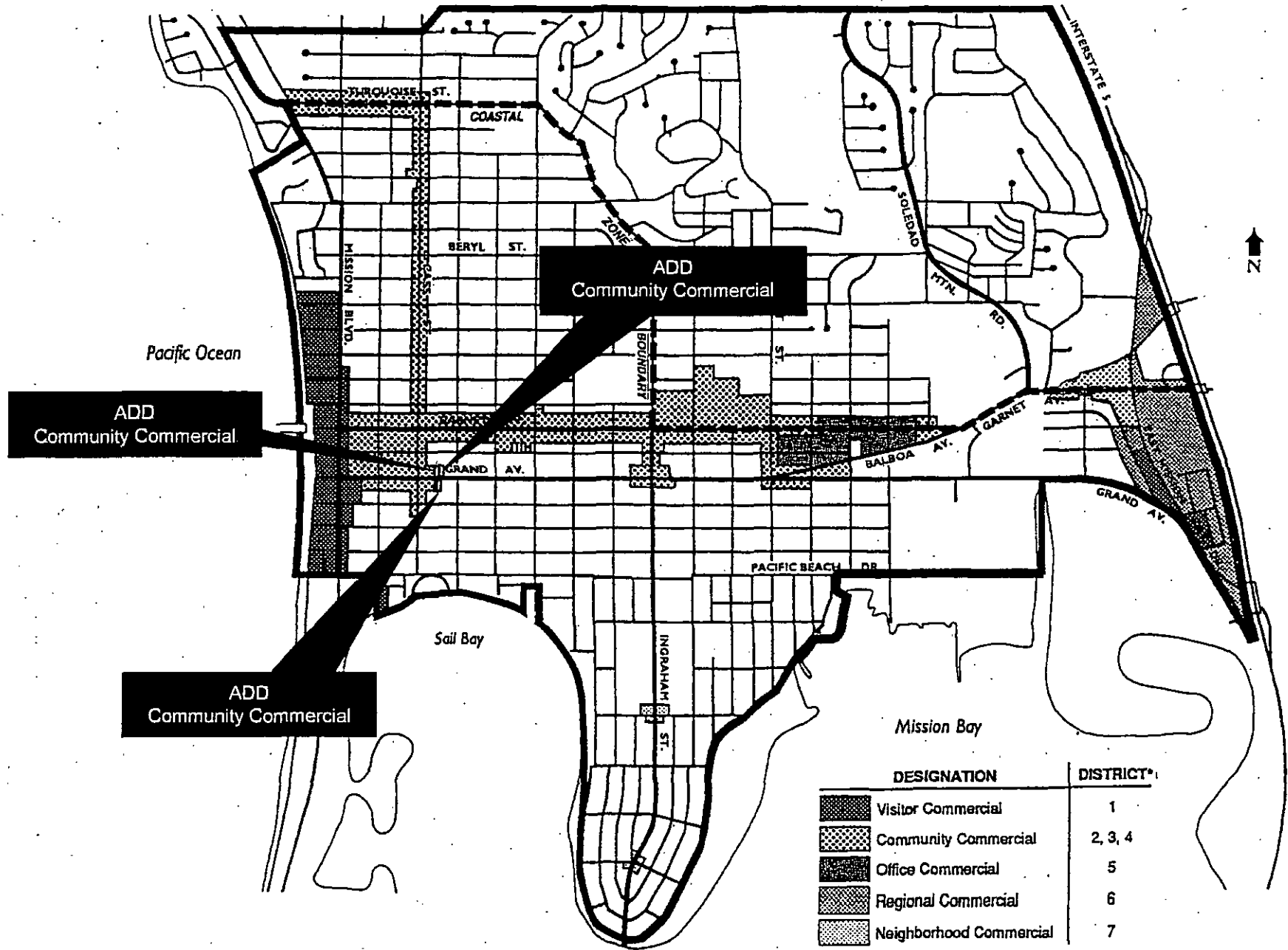


DESIGNATION	DISTRICT*
Visitor Commercial	1
Community Commercial	2, 3, 4
Office Commercial	5
Regional Commercial	6
Neighborhood Commercial	7

*As identified under specific proposals

Page 5 of 8





*As identified under specific proposals

FIGURE 11



Commercial Designations and Districts

PACIFIC BEACH COMMUNITY PLAN
City of San Diego • Planning Department

000196

ATTACHMENT 14

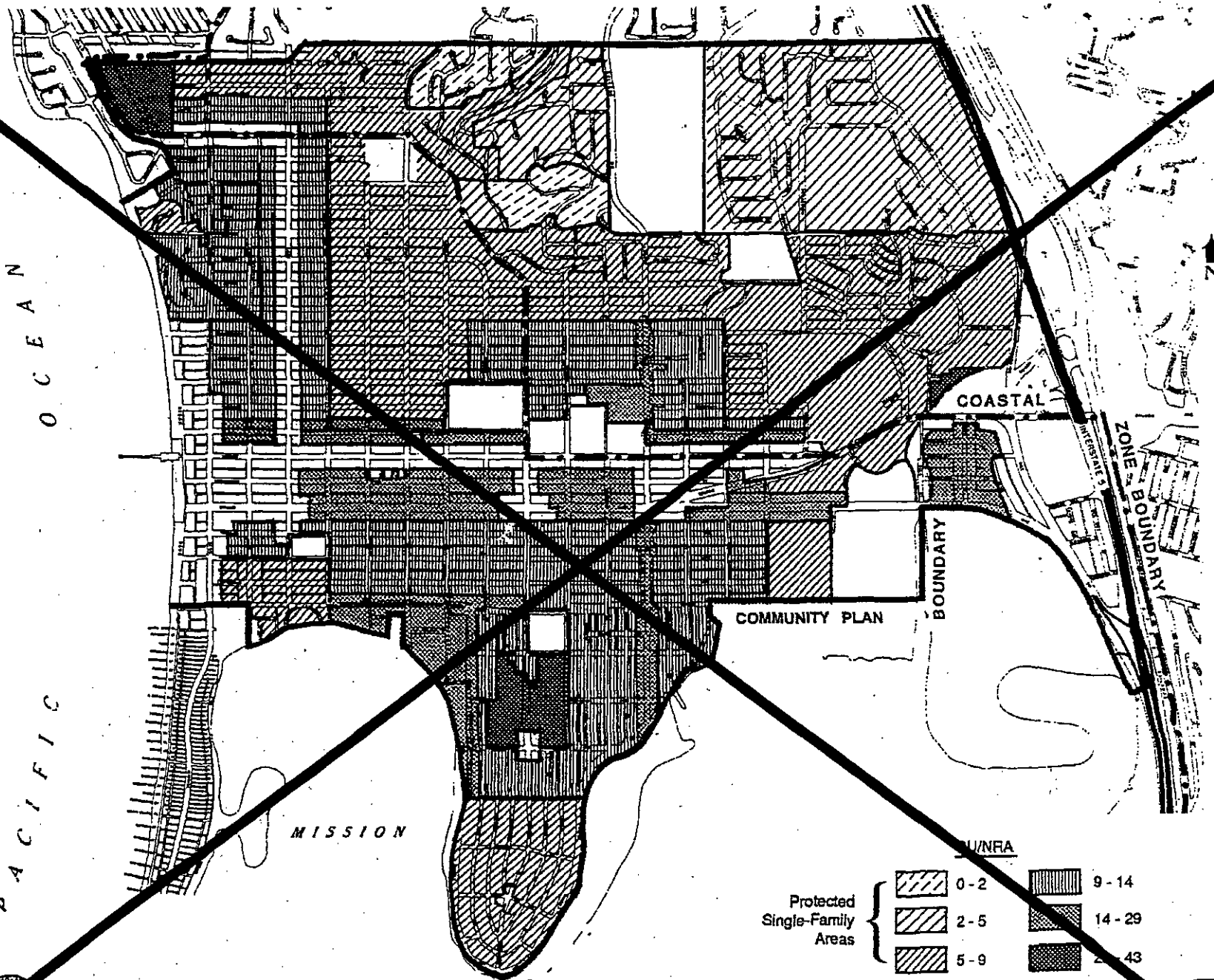
PACIFIC OCEAN

Page 7 of 8



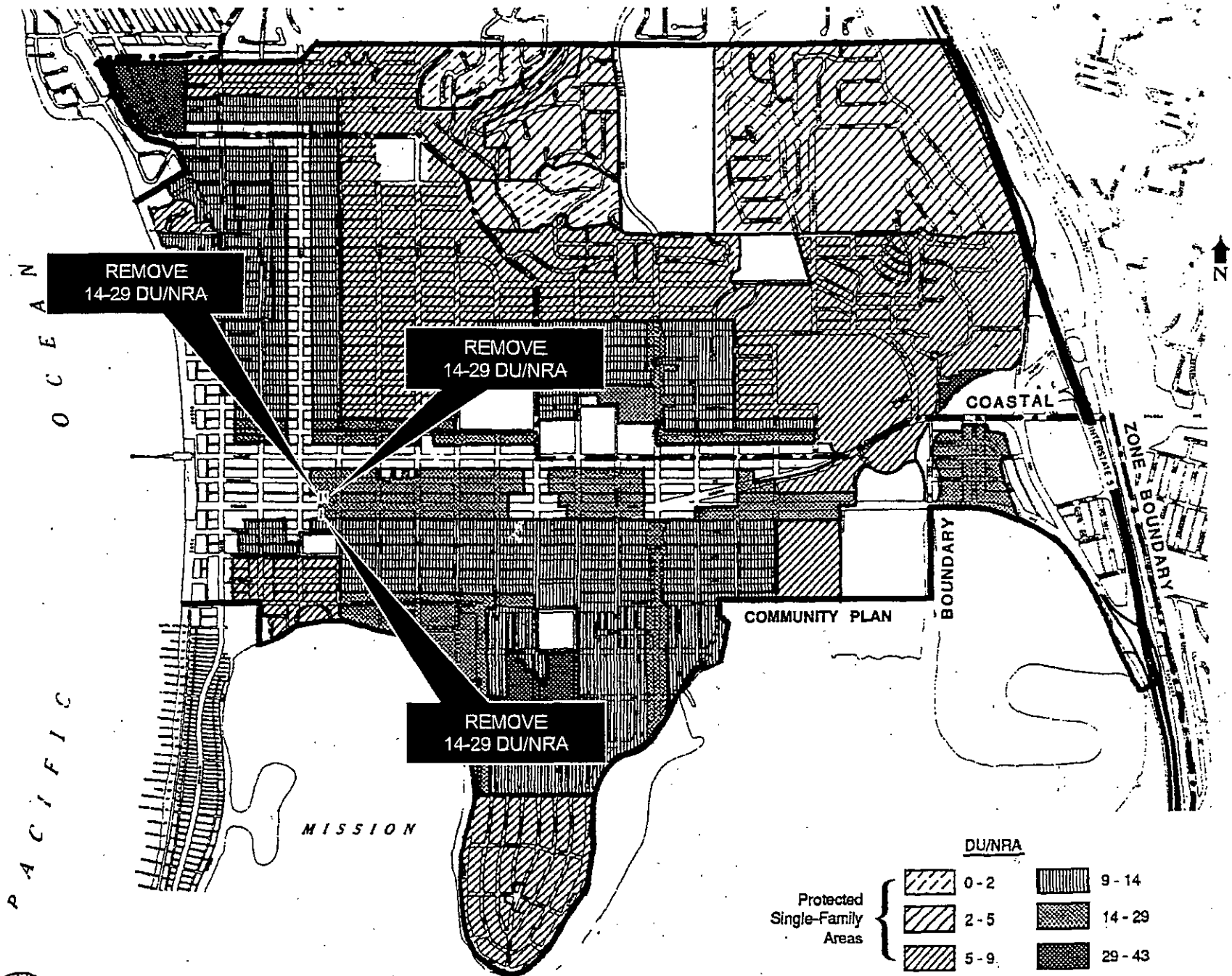
Residential Designations

PACIFIC BEACH COMMUNITY PLAN
City of San Diego • Planning Department



U/NRA	
0-2	9-14
2-5	14-29
5-9	29-43


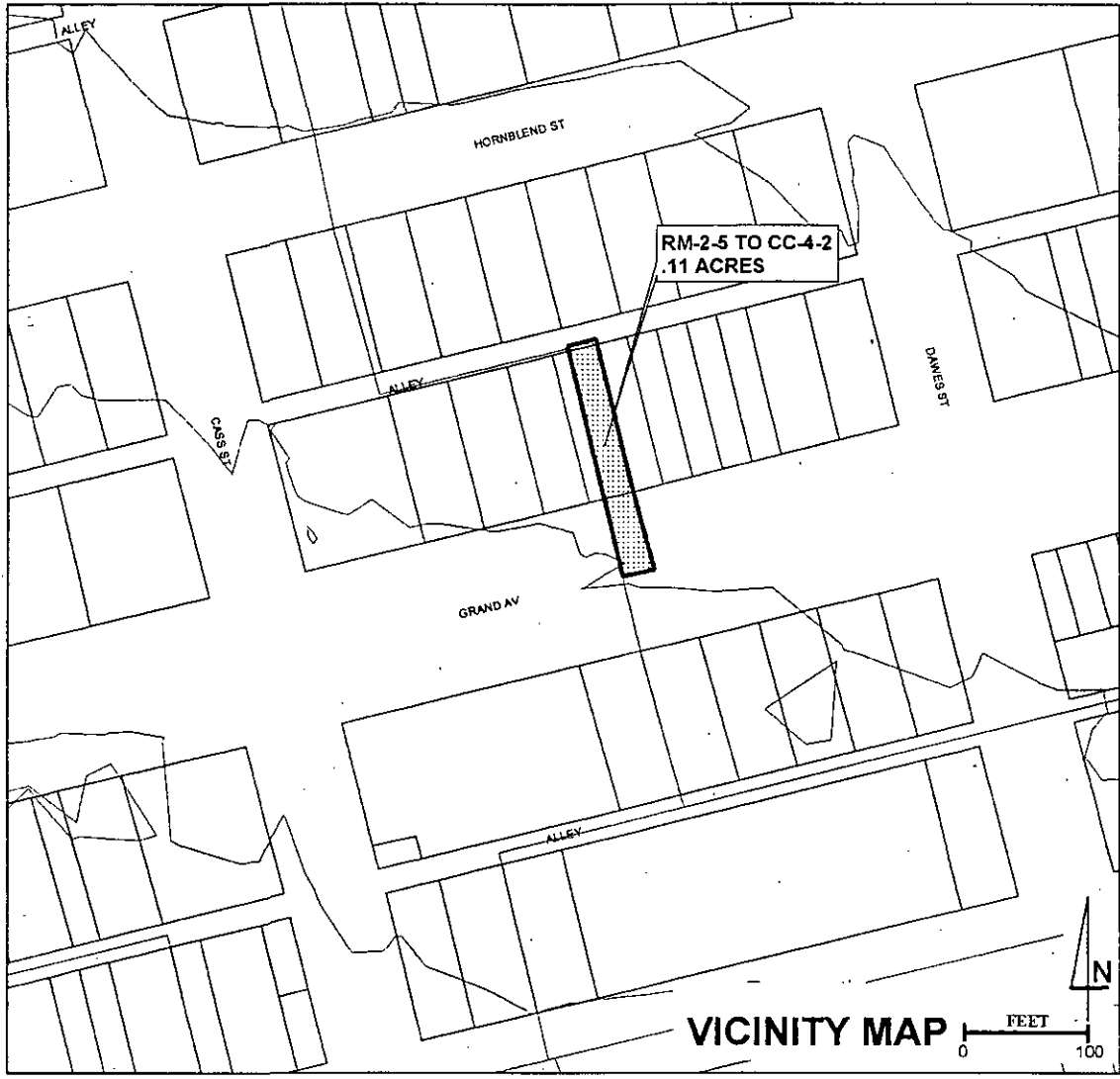
FIGURE 13



Residential Designations

PACIFIC BEACH COMMUNITY PLAN
City of San Diego • Planning Department

000198

 CITY OF SAN DIEGO • DEVELOPMENT SERVICES PROPOSED REZONING		
		
East 1/2 of Lot 30 & 31 in Block 230		
ORDINANCE NO. _____	REQUEST CC-4-2	CASE NO.
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	DEVELOPMENT SERVICES MANAGER
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4247
BEFORE DATE _____		APN: 423-052-16
EFF. DATE ZONING _____		(230-1698) 10-31-06 ldj
MAP NAME AND NO. _____		

000199

(O-2007-XX)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING THE ZONES OF A 0.11 ACRE SITE, LOCATED AT 1042 GRAND AVENUE, NORTH OF GRAND AVENUE, EAST OF CASS STREET, WEST OF DAWES STREET AND SOUTH OF HORNBLEND STREET, IN THE PACIFIC BEACH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-4-2 AND RM-2-5 ZONES INTO THE CC-4-2 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0507; AND REPEALING ORDINANCE NO. 10864 (NEW SERIES), ADOPTED JUNE 29, 1972 AND ORDINANCE NO. 15150 (NEW SERIES), ADOPTED ON JANUARY 7, 1980, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HERewith.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. In the event that within three years of the effective date of this ordinance rezoning 0.11 acres, located at 1042 Grand Avenue, north of Grand Avenue, east of Cass Street, west of Dawes Street and south of Hornblend Street, and legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854, in the Pacific Beach Community Plan area, in the City of San Diego, California, from the CC-4-2 and RM-2-5 zones into the CC-4-2 zone, as shown on Zone Map Drawing No. B-4244, the property is subdivided and a map or maps thereof duly submitted to the City, approved by the City, and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of San Diego Municipal Code [SDMC] sections 131.0406 and 131.0507 shall attach and become applicable to the subdivided land, and the subdivided land shall be

ATTACHMENT 16

000200

incorporated into the CC-4-2, as described and defined by Section 131.0406, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4247, filed in the office of the City Clerk as Document No. OO-_____. The zoning shall attach only to those areas included in the map as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. 10864 (New Series), adopted June 29, 1972 and Ordinance No. 15150 (New Series), adopted On January 7, 1980, are repealed insofar as it conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____
Shannon Thomas
Deputy City Attorney

Initials~
DATE~
Or.Dept: INSERT~
Case No.5284
O-INSERT~
Form=insubo.frm(61203wct)

000201

PACIFIC BEACH COMMUNITY PLANNING COMMITTEE
May 24, 2006 Meeting Minutes

Members Present:

Katie Cooper	Chris Fuller	Jim Lester	Mark Mitchell	Michael Katz
Jim Morrison	Ben Nicholls	Marcie Beckett	Catherine Strohlein	Kathy Mateer
Barry Schneider	Kathy Evans	William Heilmann	John Shannon	Carol Blomstrom
Anthony Sevioa	Jeton Price			

Call to Order, Quorum, Minutes, and Agenda

The meeting was called to order at 6:30 PM. A quorum was established. Several useful changes to the minutes were suggested including:

- Motion (C. Strohlein/ J. Lester): approve amended minutes for April 26 meeting. Motion carried with all in favor (17/0).

Items two and four on the Commercial Subcommittee Agenda were continued.

- Motion (C. Strohlein/ J. Lester): approve the revised agenda for May 24 meeting. Motion carried with all in favor (17/0).

Government Office Reports

A. Stanley from Council District 2 reported that the "Asset Gas" gas station project had been approved however their application for a liquor license had been denied. The concept of an Oversized Vehicle Ordinance Pilot Project had been approved by a citywide parking advisory board. The location of the pilot is yet to be determined.

Chair's Report – Mark Mitchell:

M. Mitchell appointed two members to fill the following board positions: Bill **Heilmann** as Elections Chair and Carol Blomstrom as Commercial Subcommittee Chair.

Communications from the Public (non agenda items):

A presentation was made by Tom Mulleney from Friends of San Diego.

Residential Subcommittee Report – Barry Schneider:**1. 1923 Chalcedony Street #87664 TMW to convert 2 existing residential units to condominiums**

The subcommittee had requested that the applicant identify two parking spots on the ally and had requested that the applicant ensure that the map show the reversion of the garage to its original use.

- Motion (B. Schenider/ J. Lester): approve the project as the applicant has agreed to amend their plans to include the condition that map detail the reversion of the garage to its original use. The motion carried with all in favor (17/0)

2. 3923 Riviera Drive #95185 – CDP and VTM to create 3 residential unit condominiums.

The committee reported no significant issues with this new project.

- Motion (B. Schneider/ K. Cooper): approve the project he motion passed (17/0).

3. 825 Missouri Street #85420 CDP and TM to convert 8 existing residential units to condominiums.

The subcommittee requested that the parking spaces be moved closer to the building.

- Motion (J. Lester / B. Schneider): approve the project. The motion carried (17/0).

4. 3904 Lamont Street #71223 CDP & TMW to demo existing duplex and construct a new 3 unit condo.

The group noted their previous discussion from October. The subcommittee discussion had centered around several elements including: underground parking and a 'game room' that could be converted into extra bedroom. The group requested that a closet be removed from the game room and the applicant had agreed to provide a guest parking spot.

- Motion (J. Lester/ J. Morrison): approve the project with the stipulation that the concerns regarding the game room outlined in the city cycle letter be addressed. The motion carried with all hands in favor (17/0).

000202

5. 1067 Law Street #92636 CDP to construct SFR over garage on a site with an existing SFR.

The subcommittee reported concerns regarding ground floor room that could be converted into a bed room.

- Motion (C. Fuller / J. Lester): was made to approve the project provided that the applicant take out the shower in the lower room, move the garage wall to make the garage larger so as no bath/shower could be included in the lower room and that the applicant provide documentation of these changes prior to submittal to the city.. The motion carried (17/0).

6. 1040 Wibur Avenue #70080 CDP to demo existing SFR and construct 2 new residential condominiums
This item was continued.

The Residential Subcommittee report concluded.

Commercial Subcommittee report – B. Nicholls

1. 1042 Grande Avenue #590006 Community plan amendment and CDP to construct 3 new residential units above garage and 958 sf of commercial.

The committee discussion centered around a parking space in the commercial area of the building, a community plan change for the site, light well alcoves that did not comply with the city set back rules, and a 5' landscaping setback.

- Motion (B. Nicholls/ C. Strohlein): Endorse the project provided no parking variance being allowed. The motion failed (2/15).
- Motion (J. Lester / B. Schneider): Deny the project based on the parking concerns. The motion carried (15/2).
- Motion (M. Katz / K. Evans): approve the amendment to the community plan regarding zoning. The motion carried (17/0).

2. 2204 Garnet Avenue #100991 TM to create 25 commercial condominiums.

- Motion (B. Nicholls/ C. Blomstrom): Endorse the project. The motion carried (17/0).

Traffic and Parking – Katie Cooper:

K. Cooper reported that a stop sign request had been filed for an intersection at Archer and Dawes.

- Motion (J. Schneider/ C. Strohlein): recommend installation of stop signs on Archer at Dawes St. The motion carried (14/3).

K. Cooper outlined upcoming parking meetings.

Neighborhood Enhancement Sub-Committee – Chris Fuller

No report was delivered at this time.

PBTC & Discover PB – Benjamin Nicholls

B. Nicholls reported on the recently hosted neighborhood concierge event and efforts to establish a Beach Area Maintenance Assessment District.

CPC Liaison Report – J. Lester

J. Lester distributed several documents to begin discussion relating to bylaw revisions.

The meeting was adjourned.

The next meeting occur on June 28 at 6:30 PM at the Pacific Beach Library.

Respectfully submitted by Benjamin Nicholls, Recording Secretary.
(minutes to be approved at the June 28 meeting):



City of San Diego
Development Services
Division Name
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Project Title _____ Project No. For City Use Only **59006**

Project Address:
1042 GRAND AVE SAN DIEGO 92109

Part I - To be completed when property is held by Individual(s)

Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

STANLEY R SIMPSON

☐ Owner ☐ Tenant/Lessee

Street Address:

518 N ACACIA AVE

City/State/Zip:

SOLANA BEACH

Phone No:

858 481-8983

Fax No:

858 2704886

Signature:

[Signature]

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

DEVELOPMENT SERVICES
Project Chronology
 GRAND AVENUE MIXED USE - PROJECT NO. 59006

Date	Action	Description	City Review Time	Applicant Response
02/03/05	First Submittal	Project Deemed Complete		
03/23/05	First Assessment Letter		48 days	
04/29/05	Community Plan Amendment (CPA) Initiation Request			37 days
08/04/05	CPA Initiation Hearing - Planning Commission		97 days	
01/09/06	Second Submittal			158 days
02/08/06	Second Review Complete/Second Assessment Letter		30 days	
05/03/06	Third Submittal			84 days
05/26/06	Third Review Complete/Third Assessment Letter		23 days	
07/11/06	Fourth Submittal			46 days
08/08/06	Fourth Review Complete/Fourth Assessment Letter		28 days	
08/28/06	Fifth Submittal			20 days
10/05/06	Fifth Review Complete		38 days	
09/07/06	Final Negative Declaration			
12/07/06	Public Hearing - Planning Commission		63 days	
TOTAL STAFF TIME**			327 days, 10 months and 27 days	

000205

ATTACHMENT 19

TOTAL APPLICANT TIME**			345 days, 11 months and 15 days
TOTAL PROJECT RUNNING TIME**	From Deemed Complete to Planning Commission	672 days, 1 year, 10 months and 7 days	

**Based on 30 days equals to one month.

000206

July 25, 2005

Pacific Beach Planning Committee
 P.B. Earl & Birdie Taylor Library
 4275 Cass St.
 San Diego, Ca. 92109

Regarding Grand Avenue Mixed Use Project #59006

Dear Committee:

This petition is in support of the Community Plan Amendment for lots 1042 & 1036 Grand Ave. These lots are currently zoned for commercial use, but the Pacific Beach Community Plan allows only medium density residential development of 15-29 Du/Acres for residential uses with this designation.

The amendment will bring the Pacific Beach Community Plan to correspond with the current zoning.

[Signature] 1011 GRAND AVE.
[Signature] 1014 GRAND AVE
[Signature] 1022 Grand Ave
[Signature] 974 Thomas Hwy
Charlie Blane 1621 Grand ave
[Signature] 1020 Garnet ave
[Signature] 4322 Cass, 963 Grand, 953 Grand, 949 Grand.
[Signature] 1018 GRAND AVE, SAN DIEGO, CA 92109
[Signature] 4338 Cass Street San Diego CA 92109
VICTOR LY 1016 Cass Street San Diego, CA 9210
[Signature] 916 THOMAS, 1015 GRAND
[Signature] 4286 Cass St. S.D. CA 92109
[Signature] 1030-1036 Grand Ave, San Diego, 92109

ATTACHMENT 20

000207

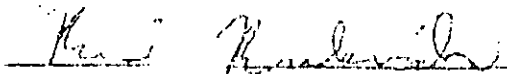
September 8, 2006

ADDENDUM- to petition in support of the Community Plan Amendment for lots 1042 & 1036.

This is an addendum to also include lot 1033 Grand Ave., Grand Animal Hospital. The property which is also currently zoned for commercial use, but does not correspond with the Pacific Beach Community Plan. The amendment will change the PB Community Plan so it is the same as the current zoning.

I, Kevin Krilevich, owner of 1033 Grand, and Grand Animal Hospital, support the Community Plan Amendment.

Kevin Krilevich



000208**PLANNING COMMISSION RESOLUTION NO. _____**

**RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE
PROGRESS GUIDE AND GENERAL PLAN AND LOCAL COASTAL PROGRAM
AMENDMENT AND THE PACIFIC BEACH COMMUNITY PLAN; REZONE; COASTAL
DEVELOPMENT PERMIT NO. 173574; VARIANCE NO. 348219 AND MAP WAIVER AND
WAIVER OF UNDERGROUNDING, NO. 348218**

WHEREAS, on December 7, 2006 the Planning Commission of the City of San Diego held a public hearing for the purpose of considering and recommending to the Council of The City of San Diego approval of Progress Guide and General Plan Amendment and Local Coastal Program Amendment and Pacific Beach Community Plan Amendment, Rezone, Coastal Development Permit No. 173574, Variance No. 348219 and Map Waiver and Waiver of Undergrounding No. 348218; and

WHEREAS, the land use plan amendment requests are to redesignate an approximately 0.11-acre parcel from Medium Density Residential 14 to 29 dwelling units per acre to Community Commercial; and

WHEREAS, Stanley R. Simpson, Owner and Permittee, requested a Progress Guide and General Plan Amendment and Local Coastal Program Amendment and Pacific Beach Community Plan Amendment, Rezone, Coastal Development Permit No. 173574, Variance No. 348219 and Map Waiver and Waiver of Undergrounding No. 348218, to allow for the demolition of an existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing 4,688 square foot lot known as the Grand Avenue Mixed Use Project, located at 1042 Grand Avenue, east of Cass Street and west of Dawes Street, within the Coastal Overlay (non-appealable), Parking Impact Overlay and Coastal Height Limit Overlay Zones, within the Pacific Beach Community Plan and Local Coastal Program; and

WHEREAS, the Planning Commission of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW HEREOF,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby recommends approval of Progress Guide and General Plan Amendment and Local Coastal Program Amendment and Pacific Beach Community Plan Amendment, Rezone, Coastal Development Permit No. 173574, Variance No. 348219 and Map Waiver and Waiver of Undergrounding No. 348218; and incorporate all other listed actions.

Motion made by Commissioner _____, second by Commissioner _____, Passed by a X-X-O Vote, with/without conditions.

Laura C Black
Development Project Manager
Development Services Department

Sabrina Curtin
Planning Commission Secretary

RESOLUTION NUMBER R-_____

ADOPTED ON _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING THE PROGRESS GUIDE AND GENERAL PLAN AND PACIFIC BEACH COMMUNITY PLAN AND LOCAL COASTAL PROGRAM TO REDESIGNATE APPROXIMATELY 0.36 ACRES FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL

WHEREAS, on _____, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress and Guide and General Plan and the Pacific Beach Community Plan and Local Coastal Program; and

WHEREAS, Stanley R. Simpson requested an amendment to the Progress Guide and General Plan and the Pacific Beach Community Plan and Local Coastal Program to redesignate an approximately 0.11-acre site from Medium Density Residential (14 to 29 dwelling units per acre) to Community Commercial, located at 1042 Grand Avenue (Assessor's Parcel Number 423-052-1600), and legally described as described as Lot 30 and the easterly half of Lot 31, Block 230 of Pacific Beach, in the City San Diego, County of San Diego, State of California, according to the maps thereof No. 697 and 854, filed in the Office of the Recorder of said San Diego County January 8, 1892 and September 28, 1898, respectively, and to incorporate within the proposed amendment an 0.11-acre lot located at 1036 Grand Avenue (Assessor's Parcel Number 423-052-1700) and legally described as the west half of Lot 31 and all of Lot 32 in Block 230 of Map 854 as filed in the Recorder's Office of the City and County of San Diego, California and a 0.14-acre lot located at 1033 Grand Avenue (Assessor's Parcel Number 423-154-0300) and legally described as Lots 9 & 10 in Block 257 of Map 854 as filed in the Recorder's Office of the City and County of San Diego, California within the Pacific Beach Community Plan and Local Coastal Program area; and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the Progress Guide and General Plan for the City of San Diego may be scheduled concurrently with public

hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings and within the Pacific Beach Community Plan and Local Coastal Program area; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the Progress Guide and General Plan and Pacific Beach Community Plan and Local Coastal Program; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the Pacific Beach Community Plan and Local Coastal Program, a copy of which is on file in the office of the City Clerk as Document No. RR-285417.

BE IT FURTHER RESOLVED, that the Council adopts an amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

BE IT FURTHER RESOLVED, that this project is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, these amendments will not become effective in the Coastal Zone until the Coastal Commission unconditionally certifies the Local Coastal Program amendment.

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____
Name
Deputy City Attorney

DEM:pev
INSERT Date
Or.Dept:DSD
R-2007- INSERT
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Land Development
Review Division
(619) 446-5460

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Negative Declaration

Project No. 59006

SUBJECT: Grand Avenue Mixed Use: COMMUNITY PLAN AMENDMENT (CPA), LOCAL COASTAL PROGRAM AMENDMENT (LCP), REZONE, COASTAL DEVELOPMENT PERMIT (CDP), MAP WAIVER and VARIANCE to amend the Pacific Beach Community Plan and Local Coastal Program land use plan to change the land use designation from medium-density residential (15-29 units per acre) to commercial. A rezone from RM-2-5/ CC-4-2 to CC-4-2 is also proposed. A Coastal Development Permit would allow the demolition of a single-family residence, detached garage, and the construction of a mixed-use development comprised of three, two-bedroom residential units over a ground-floor commercial unit on a 4,688 square-foot lot. The project site is located at 1042 Grand Avenue in the Pacific Beach Community Planning Area, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, Coastal Height Limitation Overlay Zone and the Local Coastal Program Area. Legal Description: Lot 30 and the easterly half of Lot 31 of Block 230. Applicant: Stanley Simpson.

UPDATE: Minor revisions to this document have been made when compared to the draft Mitigated Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a ~~strikeout~~ or an underline format.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego has conducted an Initial Study and determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

- IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

- V. MITIGATION, MONITORING AND REPORTING PROGRAM: None Required.
- VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Negative Declaration were distributed to:

City of San Diego

Council District 2
Development Services Department

LDR Planning, Joshua McMurray
LDR Landscape, Carrie McQueen
Plan-Long Range, Melissa Devine
LDR-Environmental, Allison Sherwood
Development Project Manager, Laura Black
City Attorney's Office, Shirley Edwards


Others

Stanley Simpson
David Barber
Pacific Beach Town Council (374)
Pacific Beach Community Planning Committee (375)
Crown Point Association (376)
Pacific Beach Historical Society (377)

VII. RESULTS OF PUBLIC REVIEW:

- ☒ No comments were received during the public input period.
- ☐ Comments were received but did not address the draft Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- ☐ Comments addressing the findings of the draft Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Negative Declaration and any Initial Study material are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.


Allison Sherwood, Senior Planner
Development Services Department

August 15, 2006
Date of Draft Report

September 7, 2006
Date of Final Report

Analyst: Cass

City of San Diego
Development Services Department
LAND DEVELOPMENT REVIEW DIVISION
1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-6460

INITIAL STUDY
Project No. 59006

SUBJECT: Grand Avenue Mixed Use; COMMUNITY PLAN AMENDMENT (CPA), LOCAL COASTAL PROGRAM AMENDMENT (LCP), REZONE, COASTAL DEVELOPMENT PERMIT (CDP), MAP WAIVER and VARIANCE to amend the Pacific Beach Community Plan and Local Coastal Program land use plan to change the land use designation from medium-density residential (15-29 units per acre) to commercial. A rezone from RM-2-5/ CC-4-2 to CC-4-2 is also proposed. A Coastal Development Permit would allow the demolition of a single-family residence, detached garage, and the construction of a mixed-use development comprised of three, two-bedroom residential units over a ground-floor commercial unit on a 4,688 square-foot lot. The project site is located at 1042 Grand Avenue in the Pacific Beach Community Planning Area, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, Coastal Height Limitation Overlay Zone and the Local Coastal Program Area. Legal Description: Lot 30 and the easterly half of Lot 31 of Block 230. Applicant: Stanley Simpson.

I. PURPOSE AND MAIN FEATURES:

The proposed project is a Community Plan Amendment (CPA), Local Coastal Program Amendment (LCP), Rezone, Coastal Development Permit (CDP), Map Waiver and Variance to be considered by the City Council (Process 5), which would allow the demolition of a 787 square-foot single-family residence and a 200 square-foot detached garage; the construction of a 7,744 square-foot, three-level, mixed-use development comprised of three, two-bedroom residential units over ground-floor commercial space and covered parking on a 4,688 square-foot lot. The ground-level commercial would consist of 863 square-feet of commercial space.

The site is currently split-zoned RM-2-5 (Residential-Multiple Units) and CC-4-2 (Commercial-Community). The Rezone would change the underlying zone to CC-4-2, which would allow for the proposed mixed-use development. The proposed amendment to the community plan would amend the current land use designation from residential to Community-Commercial.

The three, two-bedroom, two-bathroom, residential units would range in size from 1,485 square-feet to 1,961 square-feet. The 868 square-feet of commercial space would be at the ground-level and front Grand Avenue. Eight parking spaces would be provided at ground-level. The site is not located within the Tandem Parking Overlay Zone; however, a variance is being proposed to allow tandem parking. A second variance is being proposed to allow residential parking within the front 50 feet of the lot. Vehicular access to the site would be from the alley.

The subject site is located within the Coastal Overlay Zone and would be in compliance with the 30-foot coastal height limitation. Landscaping would conform to the City's Landscape Technical Manual and would include the following: Flowering Perennial

Accent Shrubs, Mat-forming Evergreen groundcover and Dense Evergreen narrow Canopy Trees. An external stairway would connect the all levels of each unit.

II. ENVIRONMENTAL SETTING:

The previously developed 0.10-acre site is located at 1042 Grand Avenue in the Pacific Beach Community Planning Area. The Pacific Beach Community Plan designates the subject property for medium-density residential at 15-29 dwelling units per acre. Surrounding land uses include multi-family to the northeast, and commercial to the southwest.

The subject property is split zoned with RM-2-5 (permits a maximum density of 1 dwelling unit for each 1,750 square-foot) and CC-4-2 (intended to accommodate development with high intensity, strip commercial characteristics). Surrounding zones consist primarily of commercial to the northwest and residential to the southeast.

The proposed development site is located within an existing urbanized area currently served by police, fire, and emergency medical services. The location of the proposed development is approximately three blocks (0.3 miles) from City of San Diego's Fire Station 21 which is located at 750 Grand Avenue. The response time is approximately 1.5 minutes. The site would be serviced by the Police Department's Northern Division. This proposed development would not effect response times since the area is already served.

The subject property is developed with a single-family residence and a detached garage. No biological resources are present on-site. The project site is not located within or adjacent to the Multi-Habitat Planning Area (MHPA). The project site is located within the Pacific Beach Community Planning Area, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, Coastal Height Limitation Overlay Zone and the Local Coastal Program Area. The site is relatively flat with an average Above Mean Sea Level (AMSL) of approximately 27 feet.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

*The following environmental issues were considered in depth during the environmental review of the project and determined NOT to be potentially significant: **Land Use**, **Geology**, **Air Quality**, **Noise**, and **Water Quality**.*

Land Use

The project proposes an amendment to the Pacific Beach Community Plan, Local Coastal Program, Progress Guide and General Plan to re-designate the 0.11-acre site from Medium-Density Residential (14 to 29 dwelling units per net residential acre) to Community Commercial. As part of the proposed amendment, two other properties would have land use re-designations. An 0.11-acre site located at 1036 Grand Avenue, located immediately to the west of the subject property, and a 0.14-acre site located at 1033 Grand Avenue. Both properties would be re-designated from Medium-Density Residential (14-29 dwelling units per net residential acre) to Community Commercial. No physical development is proposed on these two sites. As a result of the land use re-designation, the project would be consistent with the community plan and no significant land use impacts would occur.

Geology/Soils

The project site is located in a seismically active region of California, and therefore, the potential exists for geologic hazards, such as earthquakes and ground failure. However, no faults have been mapped on site (City of San Diego 1974). Because the site is currently developed and seismic considerations were required in the existing building design, the impacts to the existing structures would likely be minimal. Proper engineering design of all new structures would ensure that the potential for geologic impacts from regional hazards would be insignificant.

Air Quality

The project is proposing to demolish a single-family residence and a detached garage which may contain asbestos and lead-based paint and if so, could potentially pose a risk to human health and public safety. While the City of San Diego does not have permitting authority over the handling of hazardous material, all demolition activities must be conducted in accordance with the San Diego County Air Pollution Control District (SDAPCD) Rules 361.140 through 361.156 and the California Code of Regulations Title 8 and 17 regarding the handling and disposal of Asbestos-containing materials and Lead-based paints, respectively.

The SDAPCD requires a project follow special procedures during demolition, renovation, and removal of asbestos containing material. In addition, the SDAPCD must be notified in writing at least 10 days in advance of any demolition regardless of whether any asbestos is present or not. Failure to meet these requirements would result in the issuance of a Notice of Violation.

If the testing shows the presence of asbestos or lead-based paints, then proper precautions must be made during the removal and disposal of asbestos or lead-based paint containing materials. The removal and disposal of these materials is regulated by state agencies (Cal-OSHA and Cal-EPA), the SDAPCD, and the County of San Diego Department of Environmental Health (DEH). These agencies ensure that the demolition crew, adjacent residents, or other individuals are not exposed to these hazardous building materials.

Because the above-mentioned State and County agencies oversee asbestos and lead-based paint removal, and it is required of the applicant to notify these agencies prior to any demolition activities as per state and county law, human health and public safety impacts due to the demolition of the on-site structures would be below a level of significance. Notice to the SDAPCD would be a permit condition; therefore, permit issuance would preclude a significant impact to health and safety.

Noise

Projects are analyzed for the amount of noise the project would generate and for the amount of noise affecting the project. The intended use of the project would not result in the generation of noise, except during temporary construction which is regulated by SDMC section 59.5.0404.

With regards to noise affecting the project, the main sources of noise would be from the traffic on Grand Avenue. In order to assess noise impacts, a noise analysis titled, *"External Noise Environment study for the three story mixed-use commercial/residential building located at 1042 Grand Avenue in Pacific Beach, San Diego CA"*, was prepared by

Dr. Penzes & Associates and dated April 24, 2006. The report analyzed the potential noise impacts to the proposed mixed-use development and is summarized herein.

Multi-family residential units are limited to an interior noise standard of 45dB and an exterior noise standard of 65 dB for any required usable space. Standard construction would result in an interior reduction of 15 dB. The 45dB noise level would have to be demonstrated in order for building permits to be issued.

With regards to exterior open space, a noise calculation and measurement was performed at the south side of the existing building (facing Grand Avenue). The noise measurements were calculated at 68 dBA CNEL. Noise in excess of 65 dBA would be considered a significant impact, unless mitigated. The project proposes to satisfy the requirements of private exterior usable open space by providing decks for all of the units between each of the units. As such, the private exterior open space would be shielded from the traffic noise on Grand Avenue by the building. Therefore, project implementation would not result in potential significant noise impacts.

Water Quality

The project would result in the following potential pollutants: Sediments, Nutrients, Trash and Debris, Oxygen Demanding Substances (including solvents), Oil and grease, pesticides (including solvents), organic compounds and bacteria and viruses.

In order to address the pollutants of concern Permanent Storm Water Best Management Practice's (Site design BMPs and Source control BMPs) would be implemented. Site design BMPs would include the following: Minimization of footprint; No natural vegetation that exists would be conserved; walkways and driveways would be constructed with permeable concrete and are as narrow as allowed by codes and staff requirements; Rooftop runoff would be directed onto pervious driveway and not routed directly to the roadway. Source control BMPs would include the following: Project would stencil of all storm drain connected to the property with "No Dumping" signs; Project would provide trash enclosures paved with impervious surface designed not to allow run-on from adjoining areas; A landscaping irrigation system would be implemented to employ rain shutoff devises to prevent irrigation after precipitation such as shutoff valves triggered by a drop in pressure to control water loss in the event of broken water lines. The project would also be required to comply with construction BMPs such as fiber rolls and silt fencing to prevent sediment ingress and discharge and the use of stabilized construction entrances/exits to sediment tracking.

Proper engineering controls and best management practices as outlined above and in accordance with the San Diego Municipal Code Chapter 14, Article 2, Division 1 (Grading Regulations) and Division 2 (Storm Water Runoff Control and Drainage Regulations), and Chapter 4, Article 3, Division 3 (Stormwater Management and Discharge Control) would minimize water runoff and soil erosion during excavation/construction activities. The resultant discharge from the site would then be substantially free of pollutants and sediments to the maximum extent practicable. Therefore, compliance with the outlined BMP's in the Water Quality Technical Report would preclude any potential impacts to below a level of significance.

V. RECOMMENDATION:

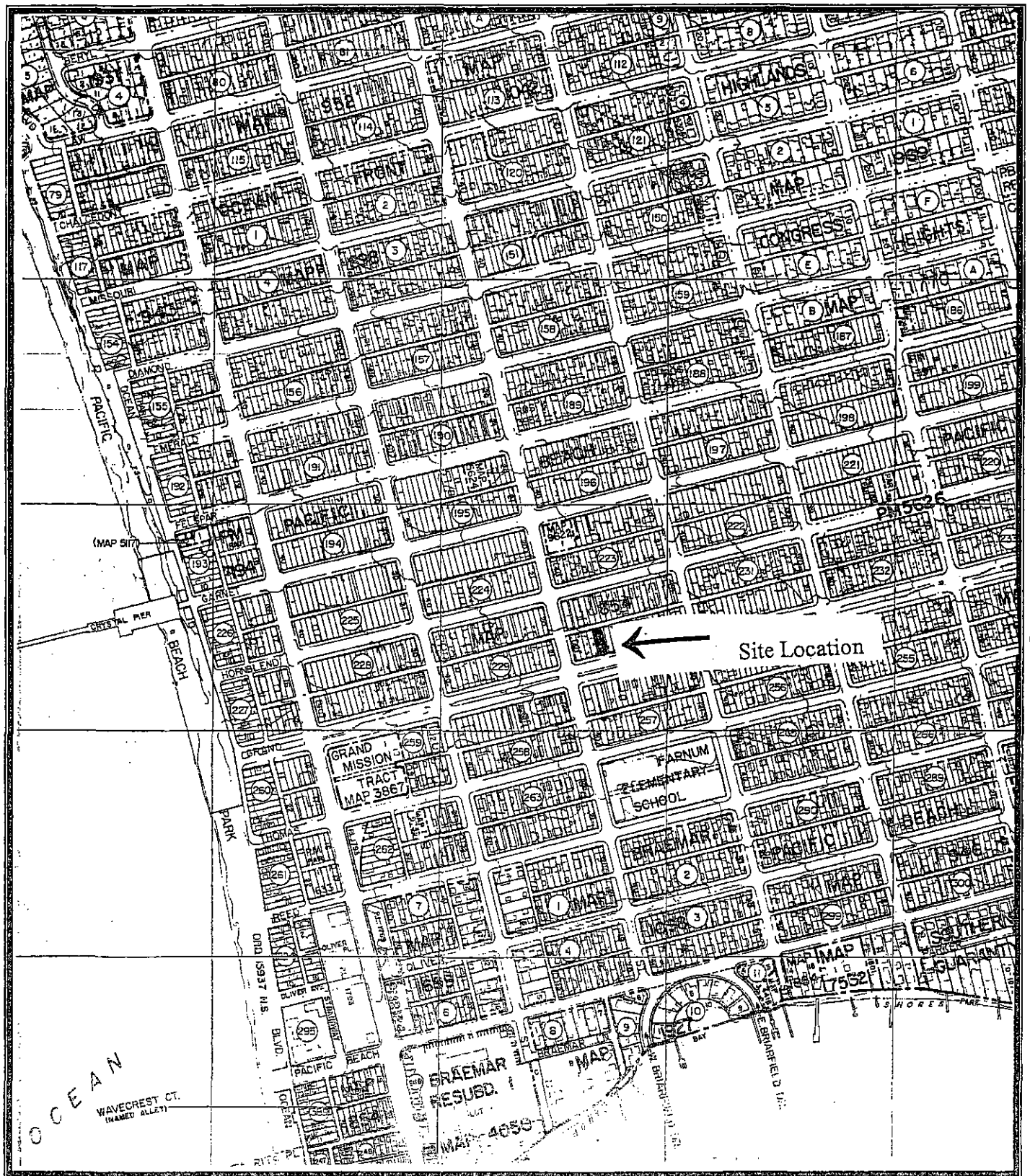
On the basis of this initial evaluation:

- ☒ The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Cass

Attachments:

Figure 1: Location Map
Figure 2: Site Plan
Figure 3: Elevations
Initial Study Checklist



Grand Avenue Mixed Use



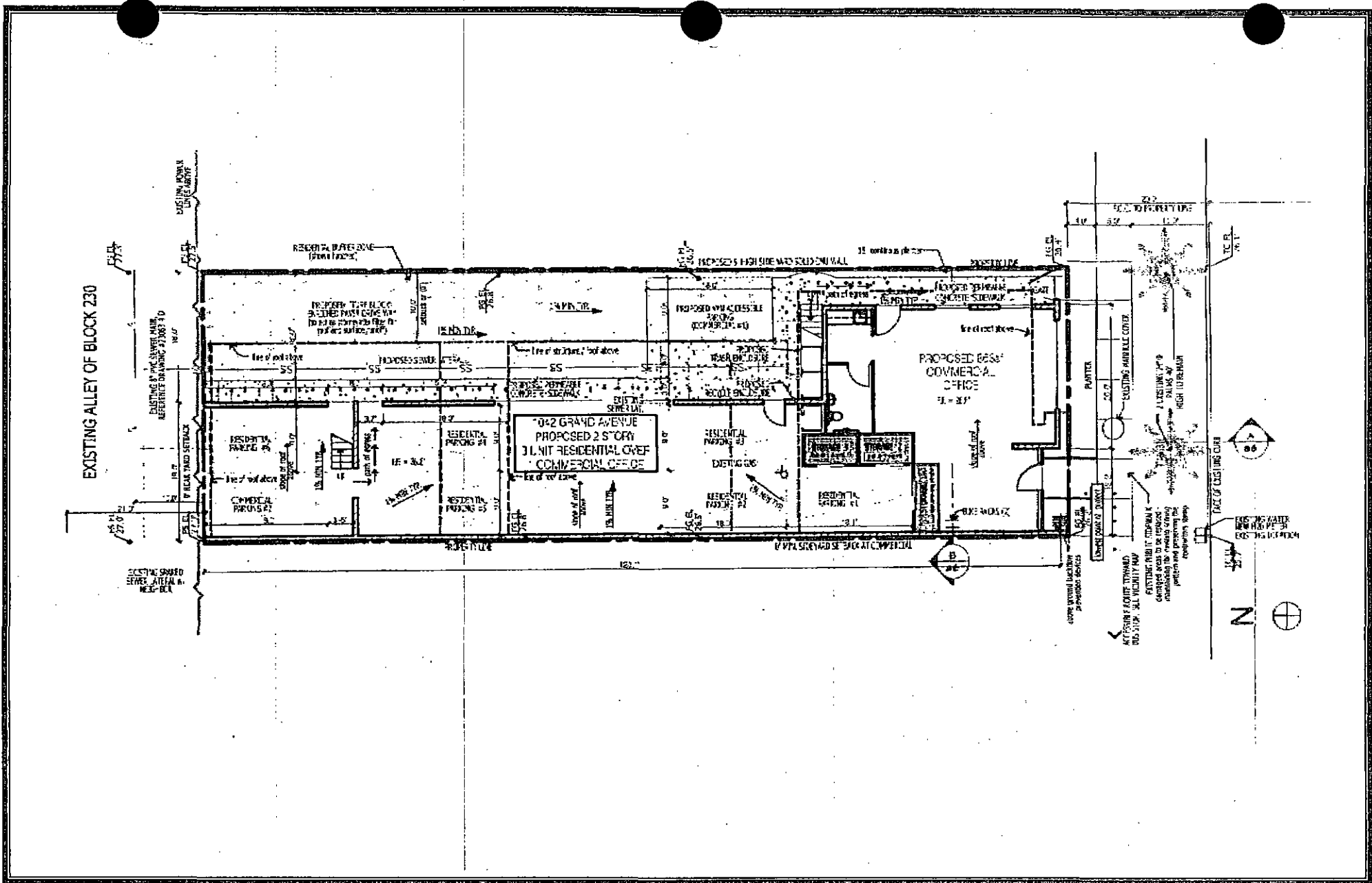
Location Map

Environmental Analysis Section Project No. 59006

CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

1

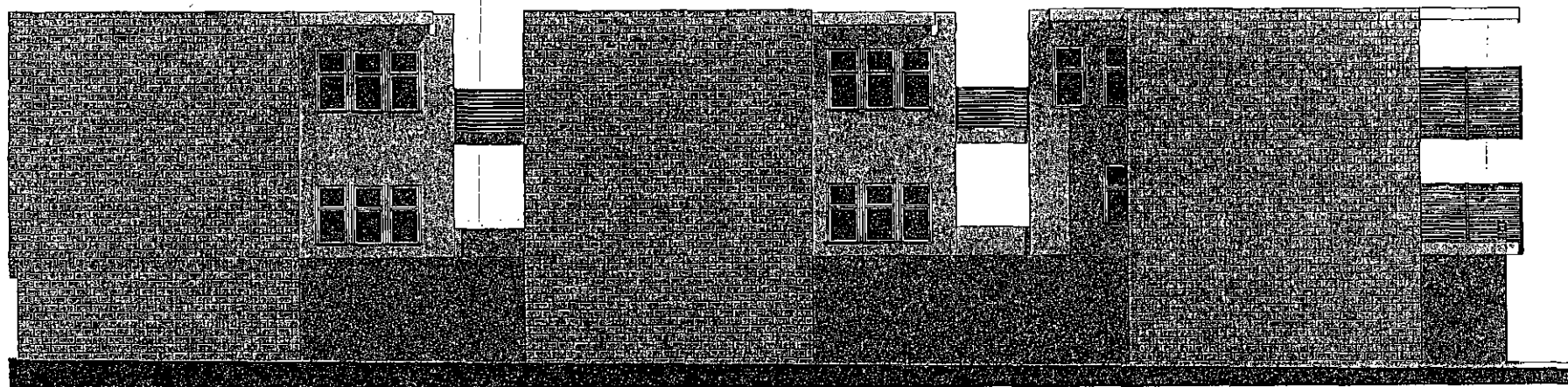


Site Plan

Environmental Analysis Section - Project No. 59006
CITY OF SAN DIEGO • DEVELOPMENT SERVICES

Figure

2



West Elevation

scale: $\frac{1}{8}" = 1'-0"$



Elevations
Environmental Analysis Section - Project No. 59006
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

3

Initial Study Checklist

Date: 8/9/2006
Project No.: 59006
Name of Project: Grand Avenue Mixed Use

III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes Maybe No

I. AESTHETICS / NEIGHBORHOOD CHARACTER -- Will the proposal result in:

- A. The obstruction of any vista or scenic view from a public viewing area? — — √
No such vista or scenic view would be obstructed, nor was such a view identified in the Pacific Beach Community Plan.
- B. The creation of a negative aesthetic site or project? — — √
The project would conform with surrounding development. As such, no negative aesthetic site would result from project implementation.
- C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? — — √
The proposed mixed-use project would be consistent with the surrounding development in terms of bulk, scale, materials, and style.

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Substantial alteration to the existing character of the area? <u>The proposed project is a mixed-used residential and commercial development. Abutting both sides of the project site are residential structures.</u>	—	—	<u>√</u>
E. The loss of any distinctive or landmark tree(s), or a stand of mature trees? <u>The site is not adjacent to any habitat type. There are no distinctive or landmark tree(s), or a stand of mature trees on the site.</u>	—	—	<u>√</u>
F. Substantial change in topography or ground surface relief features? <u>A minimal amount of ground disturbance would occur. However, no substantial change in topography or ground surface would result.</u>	—	—	<u>√</u>
G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? <u>No loss, covering, or modification of any of the above mentioned geologic or physical features would occur.</u>	—	—	<u>√</u>
H. Substantial light or glare? <u>The project would be regulated by the City Municipal Code's Outdoor Lighting Regulations section 142.0740. Lighting would not be allowed to spill onto adjacent properties and late night lighting would be regulated by automatic timers. The project would not produce a substantial amount of light or glare.</u>	—	—	<u>√</u>
I. Substantial shading of other properties? <u>No such effect would occur. See I-A.</u>	—	—	<u>√</u>

Yes Maybe No

II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:

- A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?

— — √

The project site is on urban land that has been heavily disturbed and has supported previous development. No known mineral resources are present.

- B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land?

— — √

The project site is located within a developed, urbanized area.

III. AIR QUALITY – Would the proposal:

- A. Conflict with or obstruct implementation of the applicable air quality plan?

— — √

The project would not create a substantial amount of ADTs, nor would there be significant stationary source emissions. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan.

- B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

— — √

See III-A.

- C. Expose sensitive receptors to substantial pollutant concentrations?

— — √

See III-A.

- D. Create objectionable odors affecting a substantial number of people?

— — √

See III-A.

	Yes	Maybe	No
E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>There is a potential for the creation of dust particulate during construction and demolition activities. However, the City Municipal Code requires dust suppression measures be implemented during construction activities. Notice would be required to be provided to the San Diego Air Pollution Control District prior to demolition. See Initial Study Discussion.</u>	—	<u>√</u>	—
F. Alter air movement in the area of the project? <u>The existing single-family residence and garage would be demolished and the multi-family and commercial development erected in its place. Air movement would not be substantially altered. See III-A.</u>	—	—	<u>√</u>
G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? <u>See III-A.</u>	—	—	<u>√</u>
IV. BIOLOGY – Would the proposal result in:			
A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? <u>There are no such species of plants or animals on or adjacent to the project site.</u>	—	—	<u>√</u>
B. A substantial change in the diversity of any species of animals or plants? <u>See IV-A.</u>	—	—	<u>√</u>
C. Introduction of invasive species of plants into the area? <u>Proposed project landscaping would conform to the City of San Diego's approved plant species and invasive species would not be introduced into the area.</u>	—	—	<u>√</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? <u>No such corridors exist on or adjacent to the project site.</u>	—	—	<u>√</u>
E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? <u>See IV-A.</u>	—	—	<u>√</u>
F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? <u>There are no wetlands on-site.</u>	—	—	<u>√</u>
G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? <u>Project site is not within or adjacent to the MHPA. See IV-A.</u>	—	—	<u>√</u>
V. ENERGY – Would the proposal:			
A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)? <u>The proposed mixed-use development would not use excessive amounts of fuel or energy.</u>	—	—	<u>√</u>
B. Result in the use of excessive amounts of power? <u>See V-A.</u>	—	—	<u>√</u>
VI. GEOLOGY/SOILS – Would the proposal:			
A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	—	<u>√</u>	—

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<u>The proposed project lies within Geologic Hazard Zone 52, a zone characterized with as a favorable geologic structure with a low risk for geologic hazards. See Initial Study discussion.</u>			
B. Result in a substantial increase in wind or water erosion of soils, either on or off the site? <u>The proposed project would be in compliance with the City's Storm Water Regulations.</u>	—	—	<u>√</u>
C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <u>See VI-A.</u>	—	—	<u>√</u>
VII. HISTORICAL RESOURCES – Would the proposal result in:			
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>The proposed project is within the historical sensitivity map boundaries; however, the site is has been previously developed and the project does not propose any grading. As such, the project would not result in potential impacts to archaeological finds.</u>	—	—	<u>√</u>
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>The demolition of the single-family residence would not result in a significant effect to a designated historical structure, object or site.</u>	—	—	<u>√</u>
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>See VII-B.</u>	—	—	<u>√</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>No such potential exists on-site. See VII-A.</u>	—	—	<u>√</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>See VII-A.</u>	—	—	<u>√</u>

VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:

A. Create any known health hazard (excluding mental health)? <u>The site does not have any previously documented contamination, and would therefore not result in any known health hazard.</u>	—	—	<u>√</u>
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B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? <u>The proposed project is a mixed-use development that does not propose the use, disposal or transport of any hazardous materials.</u>	—	—	<u>√</u>
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C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>See VIII-A and B.</u>	—	—	<u>√</u>
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D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>The project would have multiple entry/exits and streets would accommodate fire equipment trucks. No such impairment is anticipated.</u>	—	—	<u>√</u>
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E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? <u>The site is not listed on the County's DEH SAM case listing.</u>	—	—	<u>√</u>
--	---	---	----------

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <u>See VIII-A and B.</u>	—	—	<u>√</u>
IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:			
A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. <u>The project is subject to Standard Best Management Practices. The project would have to incorporate site design and source control Best Management Practices. See Initial Study discussion.</u>	—	<u>√</u>	—
B. An increase in impervious surfaces and associated increased runoff? <u>Although impervious surfaces would increase, Standard BMP's would preclude any significant impact.</u>	—	—	<u>√</u>
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes? <u>See IX-A. and -B.</u>	—	—	<u>√</u>
D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(d) list)? <u>See IX-A. and -B.</u>	—	—	<u>√</u>
E. A potentially significant adverse impact on ground water quality? <u>See IX-A. and -B.</u>	—	—	<u>√</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? <u>See IX-A. and -B.</u>	—	—	<u>√</u>
X. LAND USE – Would the proposal result in:			
A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? <u>The project proposes a community planned amendment to commercial designation, which would allow the mixed-use development.</u>	—	—	<u>√</u>
B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? <u>See X-A.</u>	—	—	<u>√</u>
C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area? <u>The project does not conflict with any such plans. See X-A.</u>	—	—	<u>√</u>
D. Physically divide an established community? <u>The project would not divide an established community.</u>	—	—	<u>√</u>
E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan? <u>Project is not within any airport CLUP.</u>	—	—	<u>√</u>
XI. NOISE – Would the proposal result in:			
A. A significant increase in the existing ambient noise levels? <u>The project is a mixed-use development that would not emit noise to the extent that a</u>	—	—	<u>√</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<u>significant increase in the ambient noise level would occur.</u>			
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? <u>An Acoustical Analysis was prepared and submitted for the project. See Initial Study Discussion.</u>	—	<u>√</u>	—
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan? <u>See XI-B.</u>	—	<u>√</u>	—
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? <u>The project does not propose any grading. As such, no impacts to paleontological resources would occur.</u>	—	—	<u>√</u>
XIII. POPULATION AND HOUSING – Would the proposal:			
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <u>The project would not induce substantial population growth through business or housing development.</u>	—	—	<u>√</u>
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <u>The project would replace a single-family residence with three two-bedroom units over a commercial level. Therefore, a substantial displacement would not occur.</u>	—	—	<u>√</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. Alter the planned location, distribution, density or growth rate of the population of an area? <u>See XIII-A and -B.</u>	—	—	<u>√</u>
XIV. PUBLIC SERVICES – Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
A. Fire protection? <u>Proposed project would be developed in an urbanized area and is not anticipated to have a significant affect on fire protection. Fire Protection would be available to the new development.</u>	—	—	<u>√</u>
B. Police protection? <u>Police protection would be available to the new development.</u>	—	—	<u>√</u>
C. Schools? <u>The project would not have a significant impact on schools.</u>	—	—	<u>√</u>
D. Parks or other recreational facilities? <u>No effect would occur.</u>	—	—	<u>√</u>
E. Maintenance of public facilities, including roads? <u>Maintenance of public facilities would not be affected with the project being developed.</u>	—	—	<u>√</u>
F. Other governmental services? <u>No effect would occur. See XIV-A.</u>	—	—	<u>√</u>
XV. RECREATIONAL RESOURCES – Would the proposal result in:			
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>The project would not have an affect on recreational resources.</u>	—	—	<u>√</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>No such adverse effects would occur.</u>	—	—	<u>✓</u>

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

A. Traffic generation in excess of specific/ community plan allocation? <u>Traffic generation due to the project is not anticipated to be significant and would not exceed the Pacific Beach Community Plan's recommended allowance.</u>	—	—	<u>✓</u>
--	---	---	----------

B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? <u>See XVI-A.</u>	—	—	<u>✓</u>
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C. An increased demand for off-site parking? <u>The project would not increase the demand for off-site parking.</u>	—	—	<u>✓</u>
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D. Effects on existing parking? <u>The project would have no effect on existing parking.</u>	—	—	<u>✓</u>
---	---	---	----------

E. Substantial impact upon existing or planned transportation systems? <u>The proposed project would not affect existing or planned transportation systems.</u>	—	—	<u>✓</u>
--	---	---	----------

F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? <u>Public access to any such areas would not be impacted.</u>	—	—	<u>✓</u>
--	---	---	----------

G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? <u>The project would be designed to engineering standards. No such impacts would result.</u>	—	—	<u>✓</u>
--	---	---	----------

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? <u>It is not anticipated that the project would create any conflicts with such adopted transportation policies, plans, or programs.</u>	—	—	<u>√</u>
XVII. UTILITIES – Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:			
A. Natural gas? <u>The proposed project would not require new systems or substantial alterations to existing natural gas utilities.</u>	—	—	<u>√</u>
B. Communications systems? <u>No new systems or substantial alterations would be required. See XVII-A.</u>	—	—	<u>√</u>
C. Water? <u>No new systems or substantial alterations would be required. See XVII-A.</u>	—	—	<u>√</u>
D. Sewer? <u>No new systems or substantial alterations would be required. See XVII-A.</u>	—	—	<u>√</u>
E. Storm water drainage? <u>Storm Water drainage would be developed and maintained in accordance with the City's Storm Water Guidelines. No new or substantial alterations would be required.</u>	—	—	<u>√</u>
F. Solid waste disposal? <u>No new systems or substantial alterations would be required. See XVII-A.</u>	—	—	<u>√</u>
XVIII. WATER CONSERVATION – Would the proposal result in:			
A. Use of excessive amounts of water? <u>Project would not use excessive amounts of water.</u>	—	—	<u>√</u>

- B. Landscaping which is predominantly non-drought resistant vegetation?
Landscaping would be consistent with the City's Landscaping Regulations.

Yes	Maybe	No
—	—	<u>√</u>

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
No sensitive vegetation exists on-site. The project does not have the potential to affect any of the above.

—	—	<u>√</u>
---	---	----------

- B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)
Project is consistent with the long-term vision and would not achieve short-term goals to the disadvantage of long-term goals.

—	—	<u>√</u>
---	---	----------

- C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)
The project would not contribute to significant cumulative impacts.

—	—	<u>√</u>
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D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?

The proposed project would not cause substantial adverse environmental effects on human beings, either directly or indirectly.

Yes Maybe No

— — ✓

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

___ City of San Diego Progress Guide and General Plan.

√ Community Plan.

√ Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

___ City of San Diego Progress Guide and General Plan.

√ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

___ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

___ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

___ Site Specific Report: _____.

III. Air

___ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

√ Regional Air Quality Strategies (RAQS) - APCD.

___ Site Specific Report:

IV. Biology

___ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

___ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

√ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.

____ Community Plan - Resource Element.

____ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.

____ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.

____ City of San Diego Land Development Code Biology Guidelines.

____ Site Specific Report:

V. Energy N/A

VI. Geology/Soils

√ City of San Diego Seismic Safety Study.

____ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

____ Site Specific Report:

VII. Historical Resources

√ City of San Diego Historical Resources Guidelines.

√ City of San Diego Archaeology Library.

____ Historical Resources Board List.

√ Pacific Beach Community Plan

____ Site Specific Report: _____

VIII. Human Health / Public Safety / Hazardous Materials

√ San Diego County Hazardous Materials Environmental Assessment Listing, 2004.

____ San Diego County Hazardous Materials Management Division

- ☐ FAA Determination
- ☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
- ☒ Airport Comprehensive Land Use Plan.
- ☐ Site Specific Report: _____

IX. Hydrology/Water Quality

- ☒ Flood Insurance Rate Map (FIRM).
- ☒ Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
- ☒ Clean Water Act Section 303(d) list, dated July, 2003, http://www.swrcb.ca.gov/tmdl/303d_lists.html.

X. Land Use

- ☒ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ☐ Airport Comprehensive Land Use Plan
- ☒ City of San Diego Zoning Maps
- ☐ FAA Determination

XI. Noise

- ☐ Community Plan
- ☐ San Diego International Airport - Lindbergh Field CNEL Maps.
- ☐ Brown Field Airport Master Plan CNEL Maps.
- ☐ Montgomery Field CNEL Maps.
- ☒ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

- ___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- ___ City of San Diego Progress Guide and General Plan.
- ☒ Site Specific Report: *"External Noise Environment study for the three story mixed-use commercial/residential building located at 1042 Grand Avenue in Pacific Beach"* dated April 24, 2006.

XII. Paleontological Resources

- ☒ City of San Diego Paleontological Guidelines.
- ☒ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.
- ___ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.
- ___ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.
- ___ Site Specific Report:_____

XIII. Population / Housing

- ___ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ___ Series 8 Population Forecasts, SANDAG.
- ___ Other:_____

XIV. Public Services

- ___ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.

XV. Recreational Resources

- ___ City of San Diego Progress Guide and General Plan.

- ☒ Community Plan.
- ☐ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☐ Additional Resources:_____.

XVI. Transportation / Circulation

- ☐ City of San Diego Progress Guide and General Plan.
- ☒ Community Plan.
- ☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- ☐ San Diego Region Weekday Traffic Volumes, SANDAG.
- ☐ Site Specific Report:

XVII. Utilities

- ☒ Community Plan

XVIII. Water Conservation N/A

- ☐ Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO				1. CERTIFICATE NUMBER (FOR AUDITOR'S USE ONLY) 201 3/26			
TO: 000213 CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): DEVELOPMENT SERVICES		3. DATE: February 13, 2007			
4. SUBJECT: Grand Avenue Mixed Use, Project No. 59006							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Laura C Black 619.446.5112, MS-501		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) Mike Westlake, 619.446.5220, MS-501		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>			
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND				9. ADDITIONAL INFORMATION / ESTIMATED COST: No cost to the City. All costs are recovered through a deposit account funded by the applicant.			
DEPT.	1317						
ORGANIZATION	1711						
OBJECT ACCOUNT	4001						
JOB ORDER	423813						
C.I.P. NUMBER	N/A						
AMOUNT							
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	MARCELA ESCOBAR	2/13/07	8	DEPUTY CHIEF	JAMES T. WARING	2/16/07
2	CPCI	BETSY MCCULLOUGH	2/15/07	9	COO		
3	EAS	ALLISON SHERWOOD	2/13/07	10	CITY ATTORNEY	SHANNON THOMAS	3/5/07
4	CFO			11	ORIG. DEPT	MIKE WESTLAKE	2/13/07
5				DOCKET COORD: _____ COUNCIL LIAISON: _____ <input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____			
6							
7							
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input checked="" type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. Resolution certifying that the information contained in Negative Declaration (ND) No. 59006 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and that said ND reflects the independent judgment of the City of San Diego as Lead Agency. Stating for the record that the final ND has been reviewed and considered prior to approving the project. 2. Resolution approving Amendments to the Pacific Beach Community Plan and Local Coastal Program No. 391242. 3. Resolution Approving Rezone No. 391244. 4. Resolution Approving Variance No. 348219. 5. Resolution Approving Coastal Development Permit No. 173574. 6. Resolution Approving Map Waiver No. 348218. 7. Resolution Approving waiver of the requirement to underground the existing overhead utilities.							
11A. STAFF RECOMMENDATIONS: Adopt Resolutions and introduce the Ordinance.							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)							
COUNCIL DISTRICT(S): 2							
COMMUNITY AREA(S): PACIFIC BEACH							
ENVIRONMENTAL IMPACT: THE CITY OF SAN DIEGO AS LEAD AGENCY UNDER CEQA HAS PREPARED AND COMPLETED NEGATIVE DECLARATION NO. 59006 COVERING THIS ACTIVITY.							
HOUSING IMPACT: REMOVAL OF ONE SINGLE FAMILY RESIDENTIAL UNIT AND CONSTRUCTION OF ONE COMMERCIAL UNIT AND THREE MULTI-FAMILY RESIDENTIAL UNITS.							
CITY CLERK INSTRUCTIONS:							
1. Public noticing is required. 2. Return copies of each resolution and ordinance to Laura C Black, MS-501. 3. Council action requires a majority vote.							

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: November 30, 2006 REPORT NO.: PC-06-290
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Development Services Department
SUBJECT: Grand Avenue Mixed Use, Project No. 59006
COUNCIL DISTRICT(S): 2
STAFF CONTACT: Laura C Black, Phone: (619) 446-5112, Email: lblack@sandiego.gov

REQUESTED ACTION:

Approval of a Community Plan Amendment and Local Coastal Program Amendment, Rezone, Variance, Coastal Development Permit, Map Waiver and Waiver of Undergrounding to demolish an existing one-story, 787 square-foot single family residence and 200 square-foot detached garage, and to construct a three-story, mixed use building on a 4,688 square foot property.

STAFF RECOMMENDATION:

1. **Approve** Community Plan Amendment and Local Coastal Program Amendment No. 391242.
2. **Approve** Rezone No. 391244.
3. **Approve** Variance No. 348219.
4. **Approve** Coastal Development Permit No. 173574.
5. **Approve** Map Waiver No. 348218.
6. **Approve** waiver of the requirement to underground the existing overhead utilities.

EXECUTIVE SUMMARY:

As described in the attached Planning Commission Report, approval of this project would allow demolition of an existing one-story, 787 square-foot single family residence and 200 square-foot detached garage, and to construct a three-story, mixed use building on a 4,688 square foot property located at 1042 Grand Avenue.

The mixed use property would consist of one commercial space on the ground floor, with three residential condominium units on the second and third floor, with 1,915 square feet of covered parking on the ground floor, for a total building of 7,744 square feet. The project requests a rezone of the site from RM-2-5/CC-4-2 to CC-4-2 and amending the Pacific Beach Community Plan (PBCP) and Local Coastal Program to change the land use designation on three properties located at 1033, 1036 and 1042 Grand Avenue.

The project site is not located with the Tandem Parking Overlay Zone; however, a variance is being processed to allow tandem parking to be counted as two parking spaces, when normally counted as one space outside the Tandem Parking Overlay Zone, and to allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 Zone. Staff has determined that the proposed development is designed in a sensitive manner to the surrounding properties and the proposed variances related to the parking on site can be supported.

FISCAL CONSIDERATIONS:

None. All costs associated with processing this project are paid by the applicant through a deposit account.

000216

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On December 7, 2006, the Planning Commission voted 5-0-2 to recommend approval of the project as presented within Report No. PC-06-279, with a vacancy and Chairperson Schultz not present, with Commissioners Otsuji, Ontai, Naslund, Griswold and Garcia voting in favor of the project.

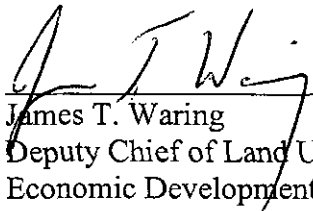
On May 24, 2006, the Pacific Beach Community Planning Committee voted 15-2-0 to recommend denial of the project based on parking concerns. The Pacific Beach Community Planning Committee made an additional motion to approve the proposed community plan amendment associated with the project. The group voted 17-0 to approve the community plan amendment.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Stanley R. Simpson, Owner



Marcela Escobar-Eck
Director
Development Services Department



James T. Waring
Deputy Chief of Land Use and
Economic Development

ATTACHMENTS:

1. Report to the Planning Commission No. PC-06-290 (Report includes all Tentative Map and Easement Vacation exhibits and draft resolutions/conditions)
2. Negative Declaration No. 59006
3. Planning Commission Minutes of December 7, 2006

NOTICE OF DETERMINATION

000217

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 59006

State Clearinghouse Number: N/A

Permit Number: : Coastal Development Permit No. 173574; Variance No. 348219; Rezone No. 391244; Community Plan Amendment and Local Coastal Program Amendment No. 391242; Map Waiver and Waiver of Undergrounding No. 348218.

Project Title : GRAND AVENUE MIXED USE

Project Location: : 1042 Grand Avenue, San Diego CA

Project Description: COMMUNITY PLAN AMENDMENT (CPA), LOCAL COASTAL PROGRAM AMENDMENT (LCP), REZONE , COASTAL DEVELOPMENT PERMIT (CDP), MAP WAIVER and VARIANCE to amend the Pacific Beach Community Plan and Local Coastal Program land use plan to change the land use designation from medium-density residential (15-29 units per acre) to commercial. A rezone from RM-2-5/ CC-4-2 to CC-4-2 is also proposed. A Coastal Development Permit would allow the demolition of a single-family residence, detached garage, and the construction of a mixed-use development comprised of three, two-bedroom residential units over a ground-floor commercial unit on a 4,688 square-foot lot. The project site is located at 1042 Grand Avenue in the Pacific Beach Community Planning Area, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, Coastal Height Limitation Overlay Zone and the Local Coastal Program Area. Legal Description: Lot 30 and the easterly half of Lot 31 of Block 230. Applicant: Stanley Simpson.

This is to advise that the City of San Diego that City Council on March 26 2007 approved the above described project and made the following determinations:

1. The project in its approved form ____ will, X will not, have a significant effect on the environment.
2. ____ An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
____ An addendum to was prepared for this project pursuant to the provisions of CEQA.
Record of project approval may be examined at the address above.
3. Mitigation measures ____ were, X were not, made a condition of the approval of the project.
4. (EIR only) Findings ____ were, ____ were not, made pursuant to CEQA Guidelines Section 15091.
5. (EIR only) A Statement of Overriding Considerations ____ was, ____ was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Land Development Review Division, Fifth Floor, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

Analyst: Marc Cass

Telephone: (619) 446-5330

Filed by: _____

Signature

Title

Reference: California Public Resources Code, Sections 21108 and 21152.

CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

EFFECTIVE DATE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING A 0.11-ACRE SITE, LOCATED AT 1042 GRAND AVENUE, NORTH OF GRAND AVENUE, EAST OF CASS STREET, WEST OF DAWES STREET AND SOUTH OF HORNBLEND STREET, IN THE PACIFIC BEACH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-4-2 AND RM-2-5 ZONES INTO THE CC-4-2 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0507, AND REPEALING ORDINANCE NO. O 10864 (NEW SERIES), ADOPTED JUNE 29, 1972 AND ORDINANCE NO. O-15150 (NEW SERIES), ADOPTED JANUARY 7, 1980, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

This ordinance approves the rezoning of 0.11 acres from the CC-4-2 and RM-2-5 zones to the CC-4-2 zone, in connection with property located at 1042 Grand Avenue, north of Grand Avenue, east of Cass Street, west of Dawes Street and south of Hornblend Street, in the Pacific Beach Community Plan, in the City of San Diego, California.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy will be available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

000220

(O-2007-103)

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

ACD:pev
01/20/07
Or.Dept:DSD
O-2007-103
MMS #4444
ZONING Rezone Digest 11-01-04

000221

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING A 0.11-ACRE SITE, LOCATED AT 1042 GRAND AVENUE, NORTH OF GRAND AVENUE, EAST OF CASS STREET, WEST OF DAWES STREET AND SOUTH OF HORNBLEND STREET, IN THE PACIFIC BEACH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-4-2 AND RM-2-5 ZONES INTO THE CC-4-2 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0507, AND REPEALING ORDINANCE NO. O-10864 (NEW SERIES), ADOPTED JUNE 29, 1972 AND ORDINANCE NO. O-15150 (NEW SERIES), ADOPTED JANUARY 7, 1980, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. In the event that within three years of the effective date of this ordinance rezoning 0.11 acres, located at 1042 Grand Avenue, north of Grand Avenue, east of Cass Street, west of Dawes Street and south of Hornblend Street, and legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854, in the Pacific Beach Community Plan area, in the City of San Diego, California, from the CC-4-2 and RM-2-5 zones to the CC-4-2 zone, as shown on Zone Map Drawing No. B-4244, the property is

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subdivided and a map or maps thereof duly submitted to the City, approved by the City, and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of San Diego Municipal Code [SDMC] sections 131.0406 and 131.0507 shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the CC-4-2 zone, as described and defined by SDMC section 131.0507, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4247, filed in the office of the City Clerk as Document No. OO-_____. The zoning shall attach only to those areas included in the map as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. O-10864 (New Series), adopted June 29, 1972 and Ordinance No. 15150 (New Series), adopted January 7, 1980, are repealed insofar as it conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

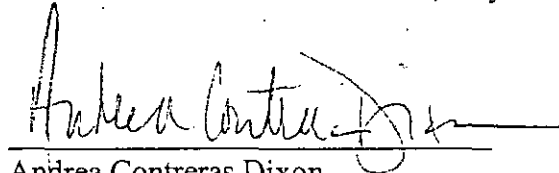
Section 4. This ordinance shall take effect and be in force on the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local

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coastal program amendment. If this ordinance is certified with suggested modifications, this ordinance shall be void.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Andrea Contreras Dixon
Deputy City Attorney

ACD:pev

02/20/07

Or.Dept:DSD

O-2007-103

MMS #4444

ZONING Rezone With Map 11-01-04

000225

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, Stanley R. Simpson, Owner/Permittee, submitted an application to the City of San Diego for a rezone, community plan amendment, coastal development permit, variance, map waiver and waiver of the requirement to underground existing overhead utilities for the Grand Avenue Mixed Use Project [Project]; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the issue was heard by the City Council on _____; and

WHEREAS, the City Council considered the issues discussed in Negative Declaration No. 59006; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Negative Declaration No. 59006, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together

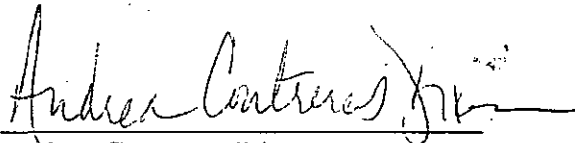
000226

with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a rezone, community plan amendment, coastal development permit, variance, map waiver and waiver of the requirement to underground existing overhead utilities for the Grand Avenue Mixed Use Project.

BE IT FURTHER RESOLVED, that the Council finds, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and therefore the Negative Declaration is approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Andrea Contreras Dixon
Deputy City Attorney

ACD:pev
02/20/07
Or.Dept:DSD
R-2007-814
MMS #4444
ENVIRONMENTAL -NegDec 11-01-04

000227

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO AMENDING THE PROGRESS GUIDE AND GENERAL
PLAN, PACIFIC BEACH COMMUNITY PLAN AND LOCAL
COASTAL PROGRAM TO REDESIGNATE
APPROXIMATELY 0.36 ACRES FROM MEDIUM DENSITY
RESIDENTIAL TO COMMUNITY COMMERCIAL.

WHEREAS, Stanley R. Simpson, requested an amendment to the Progress Guide and
General Plan, the Pacific Beach Community Plan, and the Local Coastal Program in order to
redesignate an approximately 0.11-acre site from Medium Density Residential (14 to 29 dwelling
units per acre) to Community Commercial, located at 1042 Grand Avenue (Assessor's Parcel
Number 423-052-1600); and

WHEREAS, the site is legally described as Lot 30 and the easterly half of Lot 31,
Block 230 of Pacific Beach, in the City San Diego, County of San Diego, State of California,
according to the maps thereof No. 697 and 854, filed in the Office of the Recorder of said San
Diego County January 8, 1892 and September 28, 1898, respectively, and to incorporate within
the proposed amendment an 0.11-acre lot located at 1036 Grand Avenue (Assessor's Parcel
Number 423-052-1700) and legally described as the west half of Lot 31 and all of Lot 32 in
Block 230 of Map 854 as filed in the Recorder's Office of the City and County of San Diego,
California and a 0.14-acre lot located at 1033 Grand Avenue (Assessor's Parcel
Number 423-154-0300) and legally described as Lots 9 & 10 in Block 257 of Map 854 as filed in
the Recorder's Office of the City and County of San Diego, California within the Pacific Beach
Community Plan and Local Coastal Program area; and

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WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the Progress Guide and General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, on December 7, 2006, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress Guide and General Plan, the Pacific Beach Community Plan, and the Local Coastal Program; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the Progress Guide and General Plan, the Pacific Beach Community Plan and the Local Coastal Program; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on _____, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress Guide and General Plan, the Pacific Beach Community Plan and the Local Coastal Program; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

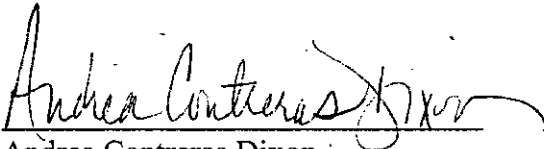
000229

BE IT RESOLVED, by the Council of the City of San Diego, that the Council adopts the amendments to the Pacific Beach Community Plan and the Local Coastal Program, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the Council adopts the amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

BE IT FURTHER RESOLVED, that this project is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, these amendments will not become effective in the Coastal Zone until the Coastal Commission unconditionally certifies the Local Coastal Program amendment.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Andrea Contreras Dixon
Deputy City Attorney

ACD:pev

02/20/07

Or.Dept:DSD

R-2007-815

MMS #4444

Community Plan Amend - Applicant Initiated Amendment 11-01-04

000231

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, Stanley R. Simpson, Owner/Permittee, filed an application with the City of San Diego for a coastal development permit to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet to be known as the Grand Avenue Mixed Use project, located at 1042 Grand Avenue, west of Dawes Street, east of Cass Street, north of and adjacent to Grand Avenue, south of Hornblend Street, and legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854, in the Pacific Beach Community Plan area and Local Coastal Program Area, in the RM-2-5 and CC-4-2 zones, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, and Coastal Height Limit Overlay Zone; and

WHEREAS, on December 7, 2007, the Planning Commission of the City of San Diego considered Coastal Development Permit [CDP] No. 173574, Community Plan Amendment No. 391242, Rezone No. 391244, Variance No. 348219, and Map Waiver and Waiver of Undergrounding No. 348218, and pursuant to Resolution No. 4185-PC voted to recommend City Council approval of the Permit; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the

decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 173574 and Variance No. 348219:

**A. COASTAL DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE
[SDMC] SECTION 126.0708**

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The 4,688 square foot interior lot is located north of and adjacent to Grand Avenue, west of Dawes Street, east of Cass Street, and south of Hornblend Street. The proposed project would comply with all required setbacks and the coastal height limit. Grand Avenue is developed in its entirety, adjacent to and across from the proposed project. The proposed coastal development will take place entirely within private property and will not encroach upon any existing physical access way legally used by the public.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The site has been previously developed and there is no sensitive habitat on the project site. Staff has determined the proposed project for 1042 Grand Avenue will not adversely affect environmentally sensitive lands and no mitigation measures are required; therefore, Negative Declaration No. 59006 has been prepared for the project.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified

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Implementation Program. The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The project is located in an area identified as medium density, 14-29 dwelling units per acre [DU/ac], residential in the Pacific Beach Community Plan. The proposed community plan amendment incorporated into this project would amend the Pacific Beach Community Plan and Local Coastal Program to designate the property, and two other properties addressed 1036 Grand Avenue and 1033 Grand Avenue, as Community Commercial. The proposed development is consistent with the Community Commercial land use designation. The project would adhere to community goals since it has been designed in a manner that does not intrude into any of the physical access ways used by the public, protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk and scale of the proposed project and the older structures as stated in the adopted Local Coastal Program land use plan. In addition, the project complies with all applicable regulations of the Land Development Code.

4. **For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.** The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The proposed coastal development lies approximately 1,800 feet from the shoreline of the Pacific Ocean. The first public roadway adjacent to this property is located along Grand Avenue and the first public roadway from the Pacific Ocean is Mission Boulevard. There would be no impacts to public beach parking because the proposed enclosed parking spaces and on-site parking spaces would be used for the required off-street parking spaces. The project is surrounded by streets and sidewalks which are all developed. Variances from the development regulations of the CC-4-2 zone would be required to implement the proposed project. The variance requests have been permitted to allow tandem parking to count as two spaces where outside of the Residential Tandem Parking Overlay Zone they would count as one space and to allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone. The proposed coastal development would therefore, conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. VARIANCE – SDMC SECTION 126.0805

1. **There are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations.** The project proposes to demolish the existing 1-story, 787 square-foot single-family

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residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

There are special circumstances that apply to the subject property that are peculiar to the premise and do not apply generally to other premises in the neighborhood. The property is 37 feet wide when the CC-4-2 zone requires a minimum lot width of 50 feet. The property has 37 feet of street frontage when the CC-4-2 zone requires a minimum street frontage of 50 feet. The project contains tandem residential parking spaces that count towards two parking spaces. The project is located outside the Residential Tandem Parking Overlay Zone where tandem parking would be counted as one parking space. The project design contains covered on-site parking spaces which are counted towards the gross floor area [GFA] for the project site. These covered parking spaces are located within the front half of the lot. The CC-4-2 zone doesn't allow residential parking spaces within the front half of a lot.

The project also cannot meet the requirements for landscape adjacent to the residential zone, as required within SDMC section 142.0405(c)(3). This section of the Municipal Code requires that a 5-foot wide area along the entire abutting property line shall be planted with trees to achieve a minimum of .05 points per square foot of area in addition to the points required in the remaining yard. Due to the lot size and project design, this landscape requirement cannot be met within the front 40-feet of the property adjacent to the residential. However, the area where this landscape requirement cannot be met is providing pedestrian access from Grand Avenue to the residential units on the project site.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises. The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

There are special circumstances that apply to the subject property that are peculiar to the premise and do not apply generally to other premises in the neighborhood. The property is 37 feet wide when the CC-4-2 zone requires a minimum lot width of 50 feet. The property has 37 feet of street frontage when the CC-4-2 zone requires a minimum street frontage of 50 feet. The project

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contains tandem residential parking spaces that count towards two parking spaces. The project is located outside the Residential Tandem Parking Overlay Zone where tandem parking would be counted as one parking space. The project design contains covered on-site parking spaces which are counted towards the GFA for the project site. These covered parking spaces are located within the front half of the lot. The CC-4-2 zone doesn't allow residential parking spaces within the front half of a lot.

The project also cannot meet the requirements for landscape adjacent to the residential zone, as required within SDMC section 142.0405(c)(3). This section of the municipal code requires that a 5-foot wide area along the entire abutting property line shall be planted with trees to achieve a minimum of .05 points per square foot of area in addition to the points required in the remaining yard. Due to the lot size and project design, this landscape requirement cannot be met within the front 40-feet of the property adjacent to the residential. However, the area where this landscape requirement cannot be met is providing pedestrian access from Grand Avenue to the residential units on the project site.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare. The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

Granting the variance would allow the project to provide off-street parking that will not have a visual impact to the adjacent properties. The project will be required to obtain building permits to show that all construction will comply with the applicable Building and Fire Code requirements. Granting of the variance therefore will be in harmony with general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable land use plan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall specify that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan. The project proposes to demolish the existing 1-story, 787 square-foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing developed lot. The requested variances would allow tandem parking to count as two spaces whereas outside of the Residential Tandem Parking Overlay Zone they would count as one space; allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone; and allow for a portion of the site adjacent to the residential zone not to provide the required landscape screening.

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The proposed project is located in the Coastal Overlay Zone and the proposed development will amend the Pacific Beach Community Plan to designate the site as Community Commercial. As part of the proposed development, the Local Coastal Plan will also be amended. The project site is not located within or adjacent to the Multi-Habitat Planning Area [MHPA]. The site will be designated for community commercial development and the proposed use is consistent with the land use designation. Negative Declaration No. 95006 has been prepared for the project and has determined that project implementation would not result in a significant environmental impact and no mitigation is required. The proposed development would be compatible with the surrounding properties.

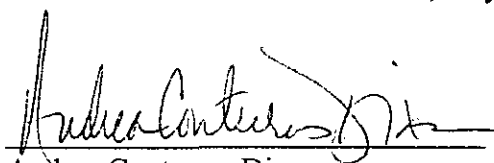
The recommendations of the Pacific Beach Community Plan applicable to the site include promoting a mixture of commercial uses and services within Pacific Beach to meet the variety of needs for existing and future resident and visitor populations. Therefore, the granting of the variance will not adversely affect the Pacific Beach Community Plan.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Coastal Development Permit No. 173574 and Variance No. 348219 are granted to Stanley R. Simpson, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Andrea Contreras Dixon
Deputy City Attorney

ACD:pev
02/20/07
Or.Dept:DSD
R-2007-816
MMS #4444

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RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 42-4990

COASTAL DEVELOPMENT PERMIT NO. 173574
VARIANCE NO. 348219
GRAND AVENUE MIXED USE – PROJECT NO. 59006
CITY COUNCIL

This coastal development permit and variance, is granted by the City Council of the City of San Diego to Stanley R. Simpson, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 126.0805. The 4,688 square-foot site is located at 1042 Grand Avenue in the RM-2-5 and CC-4-2 zones, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, and Coastal Height Limit Overlay Zone within the Pacific Beach Community Plan and Local Coastal Program Area. The project site is legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish the existing 1-story, 787 square foot single-family residence and 200 square-foot detached garage and construct a 3-story, mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated _____, on file in the Development Services Department.

The project or facility shall include the following:

- a. Demolition of the existing 1-story, 787 square-foot single-family residence and detached 200 square foot garage;
- b. Construction of a 3-story mixed use building containing 863 square feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet;

- c. Variance to allow tandem parking to count as two spaces outside of the Residential Tandem Parking Overlay Zone and to allow residential parking within the front half of the lot where it would not be permitted in the CC-4-2 zone;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Provide eight off-street parking spaces; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act [ADA] requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

ENGINEERING REQUIREMENTS:

12. The Permit shall comply with the conditions of Map Waiver No. 348218.

LANDSCAPE REQUIREMENTS:

13. Prior to issuance of any construction permits, landscape construction documents for the revegetation and hydro-seeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit (including Environmental conditions) as Exhibit "A."

14. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan. Construction plans shall take into account a 40 square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under SDMC section 142.0403(b)(5).

15. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

16. All required landscape shall be maintained in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

17. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within thirty days of damage or Certificate of Occupancy or a Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

18. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

19. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is

lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

20. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

21. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

22. All signs associated with this development shall be consistent with sign criteria established by Citywide sign regulations.

23. The Owner/Permittee shall post a copy of the approved discretionary permit or Map in the sales office for consideration by each prospective buyer.

24. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

25. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

26. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

27. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.

28. Prior to the issuance of construction permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

29. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

TRANSPORTATION REQUIREMENTS:

30. No fewer than eight off-street parking spaces of which one space is an accessible parking space, and two bicycle spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A." Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

31. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

WASTEWATER REQUIREMENTS:

32. The Owner/Permittee shall install a new sewer lateral to serve this development.

33. The Owner/Permittee shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego Sewer Design Guide. Proposed facilities that do not meet the current standards shall be private or redesigned.

34. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

WATER REQUIREMENTS:

35. Prior to the issuance of any construction permits the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) as needed, outside of any driveway or drive aisle, in the right-of-way adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

36. Prior to the issuance of any construction permits, the Owner/Permittee shall apply for a plumbing permit for the installation of the appropriate backflow prevention devices on each water service (domestic, fire and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer and the Cross-Connection Control Group in the Customer Support Division of the Water Department.

37. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including water services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

38. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of

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San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of building/engineering permit issuance.

APPROVED by the City Council of the City of San Diego on _____,
by Resolution No. R-_____.

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AUTHENTICATED BY THE CITY MANAGER

By _____

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

STANLEY R. SIMPSON
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

PERMIT/OTHER – Permit Shell 11-01-04

000245

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, Stanley R. Simpson, Applicant/Subdivider, and Brisendine Land Services, Surveyor, submitted an application to the City of San Diego for a Map Waiver [Map Waiver No. 348218] for the construction of a total of three condominium units for the Grand Avenue Mixed Use Project [Project], located at 1042 Grand Avenue, and legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854, west of Dawes Street, east of Cass Street, north of and adjacent to Grand Avenue, south of Hornblend Street, in the Pacific Beach Community Plan and Local Coastal Program Area, in the RM-2-5 and CC-4-2 zones, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, and Coastal Height Limit Overlay Zone; and

WHEREAS, the Map proposes the subdivision of a 0.11-acre site into one lot for a 3-unit residential and 1-unit commercial (for a total of four units) condominium development; and

WHEREAS, the applicant seeks to waive the requirement to underground existing overhead utilities, pursuant to Council Policy 600-25; and

WHEREAS, on December 7, 2007, the Planning Commission of the City of San Diego considered Coastal Development Permit [CDP] No. 173574, Community Plan Amendment No. 391242, Rezone No. 391244, Variance No. 348219, and Map Waiver and Waiver of Undergrounding No. 348218, and pursuant to Resolution No. 4185-PC voted to recommend City Council approval; and

000246 WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to the Subdivision Map Act and San Diego Municipal Code section 144.0220; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Map Waiver No. 348218:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code/Land Development Code [SDMC] section 125.0440(a) and Subdivision Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the San Diego Municipal Code/Land Development Code (SDMC/LDC section 125.0440(b)).
3. The site is physically suitable for the type and density of development (SDMC/LDC section 125.0440(c) and Subdivision Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (SDMC/LDC section 125.0440(d) and Subdivision Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (SDMC/LDC section 125.0440(e) and Subdivision Map Act Section 66474(f)).

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6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (SDMC/LDC section 125.0440(f) and Subdivision Map Act Section 66474(g)).

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (SDMC/LDC section 125.0440(g) and Subdivision Map Act Section 66473.1).

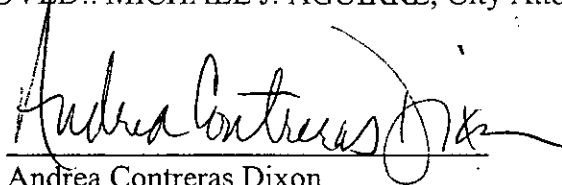
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (SDMC/LDC section 125.0440(h) and Subdivision Map Act Section 66412.3).

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that Map Waiver and Waiver of Undergrounding No. 348218 is granted to Stanley R. Simpson, Applicant/Subdivider and Brisendine Land Services, Surveyor, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MICHAEL J. AGUIRRE, City Attorney.

By



Andrea Contreras Dixon
Deputy City Attorney

ACD:pev

02/20/07

Or.Dept:DSD

R-2007-817

MMS #4444

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CONDITIONS FOR MAP WAIVER NO. 348218

GRAND AVENUE MIXED USE PROJECT

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Map Waiver will expire_____.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. A Parcel Map shall to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder, prior to the Map Waiver expiration.
4. The Parcel Map shall conform to the provisions of Coastal Development Permit No. 173574, Community Plan Amendment No. 391242, Rezone No. 391244 and Variance No. 348219.

AFFORDABLE HOUSING

5. Prior to recordation of the Parcel Map, the applicant shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

ENGINEERING

6. Prior to the building occupancy, the subdivider shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance.
7. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction BMP's necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
8. Prior to the issuance of any construction permit the subdivider shall submit a Water Pollution Control Plan [WPCP]. The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
9. The subdivider shall replace the damaged and uplifted portions of sidewalk, maintaining the existing scoring pattern and preserving any contractor's stamp, adjacent to the site on Grand Avenue.

10. The subdivider shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying the pad elevation based on USGS datum is in accordance with the approved plans.
 11. The subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
 12. The subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
 13. Prior to the recordation of the final map, taxes must be paid on this property pursuant to Section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition.
 14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized.
- All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769830.
15. Prior to Parcel Map, the applicant shall conform to Municipal Code provisions for "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the City Engineer.
 16. The requested undergrounding waiver of existing overhead facilities in the abutting public right-of-way, qualifies under the guidelines of Council Policy No. 600-25 Underground Conversion of Utility Lines at Developers Expense in that: the conversion involves a short span of overhead facility (less than 600 feet in length).

MAPPING

17. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the

California Coordinate System, Zone 6, North American Datum of 1983
[NAD 83].

18. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
19. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid to ground distances shall be shown on the map.

WATER AND SEWER

20. The subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
21. The subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

INFORMATION:

- The approval of this Parcel Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining

thereto. Off site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.

- This development may be subject to payment of a park fee prior to the filing of the Parcel Map in accordance with San Diego Municipal Code.
- Subsequent applications related to this Parcel Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Parcel Map, may protest the imposition within ninety days of the approval of this Parcel Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

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PLANNING COMMISSION RESOLUTION NO. 4185-PC
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE
PROGRESS GUIDE AND GENERAL PLAN AND LOCAL COASTAL PROGRAM
AMENDMENT AND THE PACIFIC BEACH COMMUNITY PLAN; REZONE; COASTAL
DEVELOPMENT PERMIT NO. 173574; VARIANCE NO. 348219 AND MAP WAIVER AND
WAIVER OF UNDERGROUNDING, NO. 348218

WHEREAS, on December 7, 2006 the Planning Commission of the City of San Diego held a public hearing for the purpose of considering and recommending to the Council of The City of San Diego approval of Progress Guide and General Plan Amendment and Local Coastal Program Amendment and Pacific Beach Community Plan Amendment, Rezone, Coastal Development Permit No. 173574, Variance No. 348219 and Map Waiver and Waiver of Undergrounding No. 348218; and

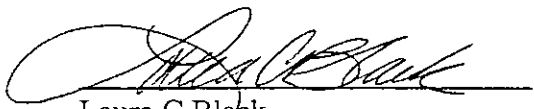
WHEREAS, the land use plan amendment requests are to redesignate an approximately 0.11-acre parcel from Medium Density Residential 14 to 29 dwelling units per acre to Community Commercial; and

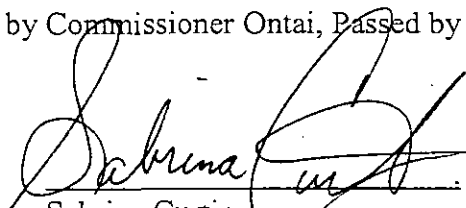
WHEREAS, Stanley R. Simpson, Owner and Permittee, requested a Progress Guide and General Plan Amendment and Local Coastal Program Amendment and Pacific Beach Community Plan Amendment, Rezone, Coastal Development Permit No. 173574, Variance No. 348219 and Map Waiver and Waiver of Undergrounding No. 348218, to allow for the demolition of an existing one-story, 787 square-foot single family residence and 200 square-foot detached garage and construct a three-story, mixed use building containing 863 square-feet of commercial space on the ground floor, with three residential condominium units containing 4,966 square-feet and 1,915 square feet of covered parking, for a total building of 7,744 square feet on an existing 4,688 square foot lot known as the Grand Avenue Mixed Use Project, located at 1042 Grand Avenue, east of Cass Street and west of Dawes Street, within the Coastal Overlay (non-appealable), Parking Impact Overlay and Coastal Height Limit Overlay Zones, within the Pacific Beach Community Plan and Local Coastal Program; and

WHEREAS, the Planning Commission of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW HEREOFRE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby recommends approval of Progress Guide and General Plan Amendment and Local Coastal Program Amendment and Pacific Beach Community Plan Amendment, Rezone, Coastal Development Permit No. 173574, Variance No. 348219 and Map Waiver and Waiver of Undergrounding No. 348218; and incorporate all other listed actions.

Motion made by Commissioner Naslund, second by Commissioner Ontai, Passed by a 5-0-2 Vote, without conditions.

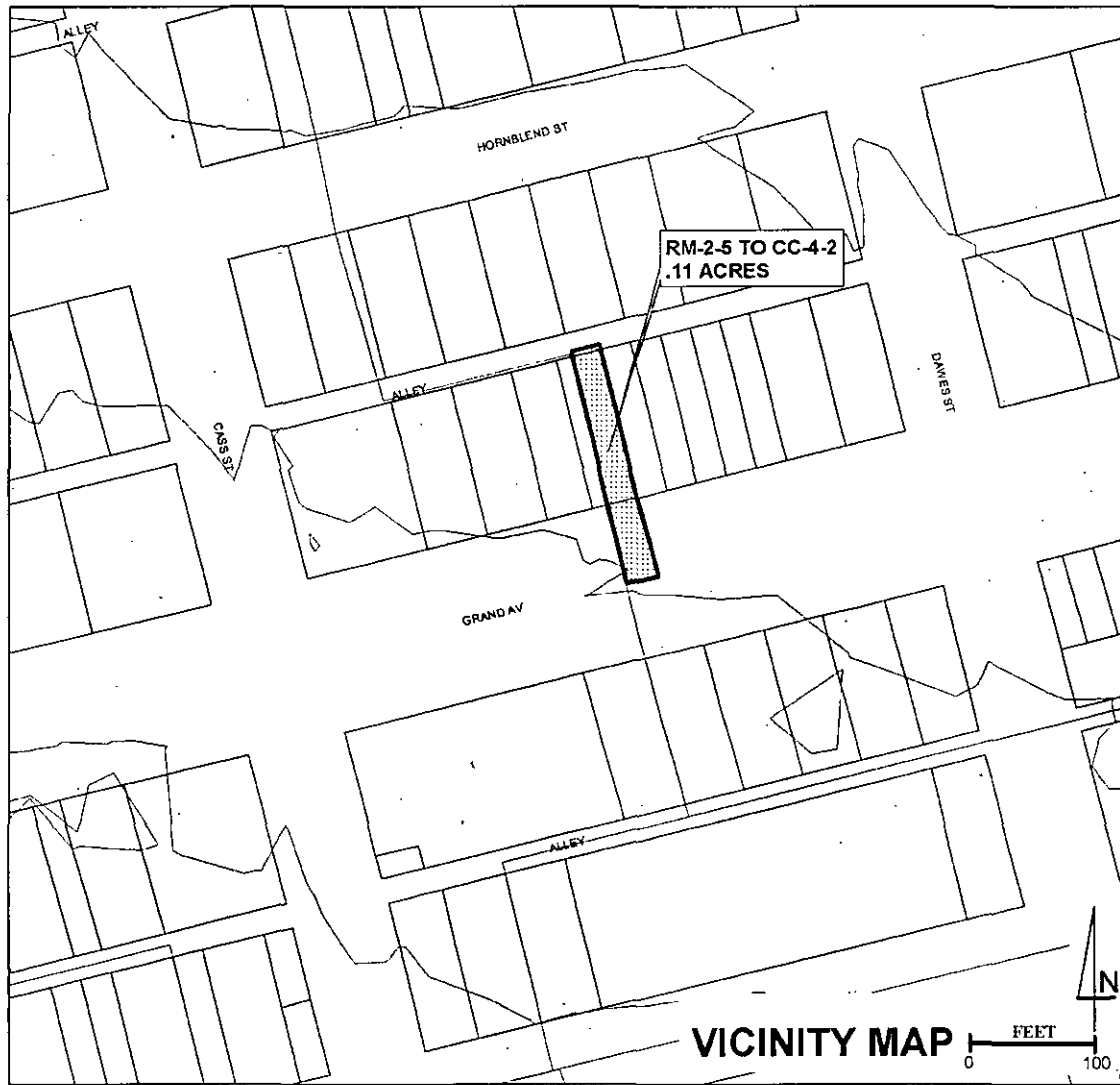

Laura C Black
Development Project Manager
Development Services Department


Sabrina Curtin
Planning Commission Secretary

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CITY OF SAN DIEGO • DEVELOPMENT SERVICES
PROPOSED REZONING



East 1/2 of Lot 30 & 31 in Block 230

ORDINANCE NO. _____	REQUEST CC-4-2	CASE NO.
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION <i>Approve 5-0-2</i>	<i>[Signature]</i> DEVELOPMENT SERVICES MANAGER
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4247
BEFORE DATE _____		APN: 423-052-16
EFF. DATE ZONING _____		(230-1698) 10-31-06 [d]
MAP NAME AND NO. _____		

Item No. 15

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
DECEMBER 7, 2006
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:05a.m. Chairperson Schultz adjourned the meeting at 4:15 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz-present
Vice-Chairperson Kathleen Garcia- present
Vacant Seat
Commissioner Robert Griswold- present
Commissioner Gil Ontai-present
Commissioner Dennis Otsuji- present
Commissioner Eric Naslund- present
Cecilia Williams, Planning Department – present
Mike Westlake, Development Services-present
Doug Humphreys, City Attorney- present
Sabrina Curtin, Recorder-present

ITEM-12: 3rd AVENUE TENTATIVE MAP – PROJECT NO. 82295

This item was withdrawn from the docket.

ITEM-13: 4081 ARIZONA TENTATIVE MAP – PROJECT NO. 81311**COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-297 TO THE PLANNING COMMISSION. Second by Commissioner Ontai. Passed by a 5-1-1 with Commissioner Griswold voting nay with one vacancy. Resolution No. 4184-PC

ITEM-14: OTAY MESA FOCUSED WORKSHOP

Theresa Millette, Mary Wright, Bill Anderson, and various other staff members presented Report No. PC-06-300 to the Planning Commission.

Speaker slips submitted in favor by Rob Hixson, Tom Story, David Nielsen, Doris Payne, Tom Scott, Michael Murphy, Jimmy Ayala, Danielle Putnam, Pepper Coffey, Paola Avila, Bruce Warren, and Greg Waite.

Speaker slips submitted in opposition by Fernando Camacho Guillermo Lizarrga, Leoner Ferrer, Dann Sherman, Steve Lisser, Wendy Gillespie, Alejandra Meir Y Teran, and Linda Greenberg.

Due to time constraints; no public testimony was given.

COMMISSION ACTION:

AFTER STAFF PRESENTATION AND COMMISSION COMMENT CHAIRPERSON SCHULTZ HAD TO ADJOURN THE HEARING, BEFORE PUBLIC TESTIMONY, FOR A LACK OF A QUORUM.

ITEM-15: *GRAND AVENUE MIXEDUSE – PROJECT NO. 59006

Laura Black presented Report No. PC-06-290

Speaker slips submitted in favor by David Barber and Stan Simpson.

No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO RECOMMEND APPROVAL OF THE COASTAL DEVELOPMENT PERMIT, VARIANCE, REZONE, COMMUNITY PLAN ADMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT, MAP WAIVER , WAIVER OF UNDERGROUDING AND CERTIFY NEGATIVE DECLARATION NO. 59006 TO THE CITY COUNCIL AS PRESENTED IN REPORT NO. PC-06-279 TO THE PLANNING COMMISSION WITH ADDITIONAL RECOMMENDATIONS. Second by Commissioner Ontai. Passed by a 5-0-2 with a vacancy and Chairperson Schultz not present. Resolution No. 4185-PC

ITEM-16: ***IOWA MIXED USE – PROJECT NO. 88598**

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OTSUJI TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-291 TO THE PLANNING COMMISSION. Second by Commissioner Griswold Passed by a 4-0-3 with Chairperson Schultz and Commissioner Naslund recusing and a vacancy. Resolution No. 4186-PC

ITEM-17: *** GERST GRADING - PROJECT NO. 94230**

COMMISSION ACTION:

MOTION BY COMMISSIONER GARCIA TO CONTINUE TO DECEMBER 14, 2006. Second by Commissioner Otsuji Passed by a 6-0-1 with a vacancy

ITEM-18: ***WORLD CLASS MONTESSORI – PROJECT NO 91668**

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GRISWOLD TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-292 TO THE PLANNING COMMISSION. Second by Commissioner Ontai. Passed by a 6-0-1 with a vacancy . Resolution No. 4187-PC

ITEM-19: **ROBINSON CONDOMINIUM – PROJECT NO. 2906**

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER ONTAI TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-302 TO THE PLANNING COMMISSION WITH ADDITIONAL CONDITIONS: